LOK SABHA DEBATES

SECOND SERIES

VOLUME VI

(26th August to 5th September, 1957)

SECOND SESSION, 1957

(Vol. V contains Nos. 21 to 30)

LOK SABHA SECRETARIAT
NEW DELHI.

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N. B.—The sign + above a name of a Member on Questions, which were orally answered, indicates that the Question was actually asked on the floor of the House by that Member.

LOK SABHA

Tuesday, 3rd September, 1957

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Kangla Menace in Delhi

*1487. **Shri D. C. Sharma:** Will the Minister of Health be pleased to state:

(a) whether any steps are being taken to fight the *kangla* menace in Delhi; and

(b) if so, what is their nature?

The Minister of Health (Shri Karmarkar): (a) and (b). Under Section 248 of the U.P. Municipalities Act, 1916, as extended to Delhi, persons who beg for alms or exhibit a deformity or disease or an offensive sore or wound with the object of exciting charity, are convicted with imprisonment or fine.

In pursuance of the above Act and rules made thereunder, such beggars are detained in the Poor House administered by the Delhi Association for the care of destitutes. The Executive Committee of the Association under the Chairmanship of the Deputy Commissioner, Delhi, evolves ways and means to solve the beggar problem in Delhi and for the reorganisation of the Poor House.

Shri D. C. Sharma: May I know how many are there in the Poor House at present and what is the amount being spent on it?

Shri Karmarkar: The number of inmates was 410 during 1954-55, 416 during 1955-56 and 303 during 1956-57. What is the latter half of the question?

Shri D. C. Sharma: May I know if any attempt has been made to take a census of the beggar population in Delhi, who come under the category of *Kanglas*?

Shri Karmarkar: I should like to have notice. I am speaking subject to correction, because I did not know exactly what *Kangla* meant. I thought that they were beggars going about, destitutes suffering from deformity or disease.

Mr. Speaker: They are people with no hands, no legs, etc.

Shri D. C. Sharma: The hon. Minister said that rules and regulations are being framed from time to time in order to cope up with this problem. May I know if any rules or any regulations have been added recently to fight this menace?

Shri Karmarkar: This matter, especially the nuisance of leper beggars in Connaught Place area was discussed in the Ministry. It was decided that more vehicles and more staff should be provided to the Delhi and New Delhi Municipal Committees and also the necessary police help for rounding up the beggars and try them by mobile magistrates.

Warehousing, Marketing and Processing of Foodgrains

*1488. **Shri Shree Narayan Das:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether proposals for the programmes relating to warehousing,

marketing and processing of foodgrains for the year 1957-58, have been received from the State Governments;

(b) if so, whether a statement will be laid on the Table;

(c) whether these proposals have been considered and decision taken; and

(d) if so, the proposals that have been sanctioned in this connection?

The Minister of Co-operation (Dr. P. S. Deshmukh): (a) Yes, Sir, except from Bihar and Assam States in respect of the programmes relating to warehousing; from the West Bengal State in respect of the schemes relating to marketing; and from Jammu & Kashmir State in respect of all the schemes.

(b) Three statements showing (i) the financial outlay; (ii) the physical targets proposed by the State Governments; and (iii) the financial assistance approved by the National Co-operative Development and Warehousing Board are laid on the Table of the Sabha. (*See* Appendix IV, annexure No. 25).

(c) Yes Sir.

(d) Schemes costing Rs. 5·77 crores have been approved by the National Co-operative Development and Warehousing Board which has also decided to grant a loan of Rs. 2·14 crores and subsidy 0·68 crores for enabling the States to execute these schemes.

Shri Shree Narayan Das: May I know whether the hon. Minister is in a position to say to what extent the Centre as well as the various State Governments have been able to implement the various recommendations in the report of the committee appointed by the Reserve Bank of India and whether any organisational set-up that has been recommended for the various States has been completed in all the States?

Dr. P. S. Deshmukh: So far as I know, every State Government is carrying on the implementation of the scheme on co-operation in their States. Of course, some States have not progressed so far as the others, but we are taking every effort to see that the whole scheme is implemented according to the basis we have already agreed upon.

The Minister of Food and Agriculture (Shri A. P. Jain): May I point out that when question No. 1417 comes up, the hon. Member will know what he wants? That question reads:

"Will the Minister of Food and Agriculture be pleased to state:

(a) the measures taken in pursuance of the recommendations of the Rural Credit Survey Report, for the enlargement of rural credit facilities; and

(b) whether Government could state the amount of credit extended up-to-date which could be accounted for the intensification of effort in this direction?"

This is the question.

Mr. Speaker: If the two questions relate to the same things, it can be answered now along with this question.

Rural Credit

*1417. **Shri Viswanatha Reddy:** Will the Minister of Food and Agriculture be pleased to state:

(a) the measures taken in pursuance of the recommendations of the Rural Credit Survey Report, for the enlargement of rural credit facilities; and

(b) whether Government could state the amount of credit extended up-to-date which could be accounted for the intensification of effort in this direction?

The Minister of Co-operation (Dr. P. S. Deshmukh): (a) A statement is laid on the Table of the Lok Sabha. (*See* Appendix IV, annexure No. 26).

(b) The figures are not yet available.

Shri A. C. Guha: May I know how much of the loan sanctioned last year,

namely, Rs. 1,21,000 and how much of the subsidy of Rs. 39·62 lakhs have been availed of by the different States?

Dr. P. S. Deshmukh: I think the figures are given in the statement.

Shri Thimmaiah: In order to provide trained personnel for the execution of various marketing schemes, may I know what steps the Directorate of Marketing and Inspection has taken?

Dr. P. S. Deshmukh: While preparing these schemes and the plan, due notice has been taken of the requirements of trained personnel for various purposes including marketing and adequate steps are being taken.

Shrimati Renu Chakravartty: In view of the answer given by the hon. Minister that no scheme has been submitted to the Centre by the West Bengal Government regarding marketing, and in view of the fact that this is one of the big problems facing our State for the solution of the food crisis, may I know whether the Centre has asked the State Government to submit at an early date its proposals for marketing?

Dr. P. S. Deshmukh: Yes, Sir; we are persistently saying to the State Government that we should get the schemes submitted as early as possible.

Dr. Ram Subhag Singh: May I know whether the rate of interest on the credit supplied to growers has been increased to 7 per cent. and if so, what is the cause for this?

Dr. P. S. Deshmukh: I would like to have notice.

Shri Radhelal Vyas: May I know whether the Krishi Upaja Samiti of Ujjain has requested the hon. Minister of Food and Agriculture to provide warehousing and marketing facilities to Ujjain and also to provide land for that purpose? May I know also whether any credit is being advanced to the Krishi Upaja Samiti for their scheme?

Shri A. P. Jain: We do not deal directly with individuals. We deal only through the State Governments. If this particular society, whatever it may be, has any such scheme, it should approach the State Governments.

Shri A. C. Guha: In reply to my question, the hon. Minister has stated that the amounts availed of from the sum provided last year have been given in the statement. I find that the statement relates to the year 1957-58; nothing about last year is there. May I know what amounts have been availed of by the different States? If he has not got the figures just now, he may lay them on the table.

Dr. P. S. Deshmukh: I have not got the figures just now; I would require notice.

Shri R. Ramanathan Chettiar: May I know what role the State Bank of India is playing in the implementation of the recommendation of the All-India Rural Credit Survey Committee in providing rural credit?

Shri A. P. Jain: The House is aware that the Imperial Bank of India was nationalised and converted into the State Bank. It is opening a large number of branches to provide rural credit. It is also closely associated with the development of the co-operative movement by way of giving advice by extending transfer of Funds facilities, etc.

Some Hon. Members *rose*—

Mr. Speaker: I have allowed ten questions and come to all sides of the House. I am very seriously considering as to why—I do not know if it could be every session—there shall not be a Food Debate, because it is so important, a food and floods debate.

Shrimati Renu Chakravartty: It is very important.

Mr. Speaker: So that we shall devote a day and have five and a half or six hours. There is growing complaint on this. The hon. Minister in his answer says that everything is

done, and it is not appreciated unfortunately and questions are being put one after another. With a larger time I think he will be able to satisfy them and they will also feel satisfied.

Shri A. P. Jain: I very much welcome the proposal that there shall be a food debate in which all aspects of the matter could be discussed. I welcome it from the point of view that I shall be able to inform the House of the actual position, know the difficulties of the State Governments and viewpoint of members.

Mr. Speaker: Very well.

Shri A. C. Guha: May I submit that in a general food debate this important aspect will not be given due attention? An Act was passed by this House and the feeling of the House is that not much progress has been made in this matter. If you kindly allot a two-hour debate on this particular subject, that would be better.

Mr. Speaker: It is subject to this. Even if there should be a food debate, it is not static. Whenever a new situation arises which has not been disposed of, hon. Members can have a half an hour or a one hour discussion only, the hon. Member must induce his colleagues to stay.

Conference of Health Ministers and Secretaries at Delhi.

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*1469. **Shri Bibhuti Mishra:**
Shrimati Tarkeshwari Sinha:

Will the Minister of Health be pleased to state:

(a) whether a conference of Health Ministers and Secretaries of the various State Governments was held in New Delhi under the Presidentship of Central Health Minister in the last week of June, 1957;

(b) if so, main decisions arrived at; and

(c) to what extent they are going to be implemented?

The Minister of Health (Shri Karmarkar): (a) Yes. A conference of the State Health Ministers and their Advisers was held in New Delhi from the 29th June to 1st July, 1957.

(b) A statement showing recommendations made by the conference is laid on the Table of Lok Sabha. [*See* Appendix IV, annexure No. 27.]

(c) The recommendations are under examination.

श्री बिभूति मिश्र : इस रिकमेंडेशन में वाटर सप्लाई और सैनीटेशन सेंटर के लिए भी रखा है और स्टेट गवर्नमेंट्स के लिए भी रखा है । अब वाटर सप्लाई के लिए कायदा यह है कि जहां बहुत से गरीब लोग रहते हैं, खास तौर से हरिजन बन्धु, वहां पर कुंवों के लिए सरकार ८० प्रतिशत देती है और बाकी वे लोग स्वयं देते हैं । मैं जानना चाहता हूं कि क्या सरकार कोई ऐसा इन्तिजाम कर रही है कि जहां एकदम निर्धन लोगों की बस्ती है वहां पर सरकार अपनी ओर से कुंवें खुदवा दे ?

श्री करमरकर : सवाल यह है कि जो बड़ी स्कीम्स होती हैं उनका समावेश पंचवर्षीय योजना में है । मैं इस बात में माननीय सदस्य के साथ सहमत हूं कि जहां तक हो सके हरिजनों को सुविधायें दी जानी चाहिए । यह चीज स्टेट गवर्नमेंट के करने की है । वैसे हम लोग तैयार हैं लेकिन हमें बहुत दुःख है कि जितना पैसा हमें चाहिए था उतना पैसा हमें नहीं मिला है ।

Shri C. R. Pattabhi Raman: Will the hon. Minister be pleased to state....

Mr. Speaker: Hon. Members will please stand erect and put their questions. Why should they be afraid of their own colleagues?

Shri Karmarkar: I appreciate that, Sir, because they will keep better health if they do that.

Shri C. R. Pattabhi Raman: Will the hon. Minister be pleased to state whether the Union Government will seek the views of the State Government with regard to the Indian Medical Research Institute, its organisation and conduct?

Mr. Speaker: How does it arise?

Shri Karmarkar: My hon. friend perhaps means the All India Institute of Medical Sciences.

Shri C. R. Pattabhi Raman: Yes.

Shri Karmarkar: Something does rest in a name. With regard to that, it is considered principally an autonomous institution to which autonomy has been given by Parliament, and all that the Union Government could do is under the general, what you call....

Mr. Speaker: ....supervisory control.

Shri Karmarkar: I am afraid of using that word—under the general direction.

Shri B. K. Gaikwad: May I know whether the subject of Slum Clearance was considered by the Ministers of Health who gathered there, because it is replied several times here in Parliament that the State Governments are not giving due co-operation in this matter. Therefore I want to know, when all Ministers of the Health Department had been here, whether this matter was discussed.

Shri Karmarkar: Slum Clearance as such was not discussed, but other problems of an all-India nature were discussed. I am afraid that so far as the other parts of India are concerned, Slum Clearance comes under the care of the Housing Ministry. So far as Delhi is concerned, because it is a Union Territory, it comes under our care.

श्री विभूति मिश्र : सरकार ने इस में इंडीजीनस मैडीसिन के लिए पैसा तो रखा है, लेकिन मैं जानना चाहता हूं कि जो वैद्य हिन्दू यूनीवर्सिटी से या पटना से या और जगहों से पास करके आते हैं उनकी डिग्री को रिकागनीशन देने का केन्द्रीय सरकार की ओर से कोई इन्तिजाम रखा गया है ?

श्री करमरकर : जी हां, कुछ स्टेट गवर्नमेंट्स ने इसके लिए सुविधा रखी है और उनके यहां देहातों में जो आयुर्वेदिक डिसपेंसरी हैं उनमें ऐसे लोग काम भी करते हैं। उन डिसपेंसरीज में वही लोग आते हैं जो कि इंडीजीनस सिस्टम के जानने वाले होते हैं ।

श्री विभूति मिश्र : मैं ने यह पूछा था कि इस विषय में केन्द्रीय सरकार क्या करती है । जैसे कि केन्द्रीय सरकार ऐलोपैथी की डिग्री को रिकागनाइज करती है क्या उसी तरह से जो वैद्य हिन्दू यूनीवर्सिटी या दूसरी जगहों से इंडीजीनस सिस्टम आफ मैडीसिन की डिग्री करके आते हैं उनको भी रिकागनाइज करती है या नहीं ?

श्री करमरकर : इसका जवाब यह है कि केन्द्रीय सरकार ने आपके सामने जो कार्यक्रम अभी रखा है वह जो उसके पास पैसा है उसी के मुताबिक रखा है । हम ने सोचा है जो पैसा हमारे पास है उसका उपयोग जो आयुर्वेदिक इंस्टीट्यूशन्स हैं उनके अपग्रेडिंग के लिए और रिसर्च के लिए किया जाये न कि देहातों में आकर दवायें देने के लिए । हम आयुर्वेदिक कालिजों को बढ़ाने में और शिक्षा क्रम को उन्नत करने में उस पैसे को लगाना चाहते हैं ।

Shri Raghunath Singh: The question is quite different, Sir. The question was whether you recognise the Ayurvedic Degrees....

Mr. Speaker: Order, order. The hon. Member puts questions which I am not able to follow, nobody follows.

Shri Bibhuti Mishra: I want to know whether the Central Government recognises the Ayurvedic Degrees of the Hindu University or the Ayurvedic

Degrees granted by other institutions in the States, but he is replying about money. I did not ask about money. I wanted to know whether you recognise the degrees or not.

Mr. Speaker: Order, order. Let there be no excitement over this matter. Was this one of the subjects discussed at the Conference?

Shri Karmarkar: This was one of the subjects before the Conference, and the decision was that the Conference was of the view that all possible encouragement should be given to the indigenous systems of medicine and suggested to the State Governments that they should take full advantage of the assistance that the Central Government is offering to the State Governments.

Mr. Speaker: The question specifically was whether a decision was taken with regard to the recognition of the Ayurved Acharya or other degrees conferred by the Banaras Hindu University.

Shri Karmarkar: No, Sir, that question did not come up before it.

Mr. Speaker: Is there any other Hindu University?

Shri Raghunath Singh: The question was whether Government recognise the degrees granted by the Ayurvedic Colleges.

Mr. Speaker: He says that matter was not discussed.

Shri Karmarkar: Sir, the House is, naturally, anxious to know about this. The whole question is that there is a constant *jhagra*, quarrel going on—not exactly quarrel but difference of views between the two systems of thought: one what is known as the integrated system of medicine which believes in institutions giving knowledge of allopathy and Ayurveda and the other, Sudh Ayurveda. We had a meeting under the chairmanship of the Minister of Planning in Bombay. There also this difference came out. Therefore it is that we have to give a lot of consideration to this matter as to whether to follow Sudh Ayurveda or integrated ayurveda. That is the present position of Government. As regards the question of recognition of the degrees, it depends upon our ultimate decision as to whether we recognise Sudh Ayurveda or the integrated system.

Mr. Speaker: Discussion took place but no decision was arrived at, and hence this matter does not arise.

Dairy Science College

*1410. **Shri Bahadur Singh:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether there is a proposal to start a Degree College for training in dairy science;

(b) the location of this College;

(c) whether the College staff and other establishment have been recruited; and

(d) the amount that will be spent on it?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) The Dairy Science College has already started functioning with effect from 15th July, 1957

(b) National Dairy Research Institute, Karnal (Punjab).

(c) Yes. About 62 per cent of gazetted staff and 80 per cent of the non-gazetted technical staff have been recruited.

(d) Rs. 29·50 lakhs.

Shri Bahadur Singh: May I know whether there is any proposal to start more such colleges in the country?

Shri M. V. Krishnappa: No, Sir.

Shri Kamalnayan Bajaj: In view of the work done specially in the Go Seva Sangh, Wardha, may I know whether any approach has been made to them so that more research work can be done through them or dairy

colleges or other things can be started by them? As far as I know they are doing some training work for the State Government, but if the Central Government takes the initiative, more work will be done by them in this field.

Shri M. V. Krishnappa: They have not approached us and we have not yet got any information from them, but this is a college just to train graduates in dairy science and technology.

Shri Shree Narayan Das: May I know the capacity of this college to train people, and whether candidates from all parts of India are taken?

Shri M. V. Krishnappa: Candidates from all parts of India have been selected. Out of 410 applicants, about 20 have been selected from all parts of India.

Food Situation in U. P.

\+

*1411. **Shri R. S. Lal:**
Shri S. M. Banerjee:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether monsoon had not started in eastern U.P. uptill the 8th July, 1957;

(b) if so, its effect on (i) early paddy (ii) on general food situation; and

(c) what steps are being taken to check the already deteriorating food situation there?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) No, Sir. The rains started in June though gained full momentum only in July;

(b) Owing to inadequate rains in June, early paddy could not be sown over large tracts, but the general food position was not materially affected.

(c) The State Government are distributing substantial quantities of foodgrain through about 1270 fair price shops. I may also add that yesterday the Minister had discussions with the representatives of the U.P. Government. The entire position has been reviewed and all possible steps are being taken.

श्री रघुनाथ सिंह : ईस्टर्न यू० पी० में हालत अच्छी नहीं है और हमारे पी० एस० पी० के एक महान नेता हंगर स्ट्राइक पर हैं। इस अवस्था में सरकार यू० पी० को क्या सहायता देने जा रही है ?

Mr. Speaker: An hon. Member may rise, but he cannot put a question unless I call him. I want to give an opportunity to Shri Banerjee. He is the other gentleman who has tabled this question. Let him put a supplementary.

Shri S. M. Banerjee: May I know whether it is a fact that mere supply of foodgrains will not solve the problem because of the low purchasing power of the people of those districts, and if so, may I know what steps are being taken to overcome this difficulty?

The Minister of Food and Agriculture (Shri A. F. Jain): It is a fact that mere supply of foodgrains cannot solve the problem if people have not the purchasing power, but to provide the purchasing power is not the responsibility of the Food and Agriculture Ministry. The State Government is doing that, and the State Government has also got some gram and barley to be distributed at subsidised rates. Besides, our prices are also subsidised prices.

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूं कि केन्द्रीय सरकार ने अब तक ईस्टर्न यू० पी० के लिए क्या सहायता दी है और वहां के लोगों के लिए कितने टन अनाज दिया है ।

श्री अ० प्र० जैन : ईस्टर्न यू० पी० के लिए हम ने इस वक्त तक एक लाख टन से ऊपर अनाज दिया है और इस महीने हम उन को चालीस हजार टन गेहूं देने जा रहे हैं। इस के अलावा उत्तर प्रदेश गवर्नमेंट ने साठ हजार टन चना खरीदा है, जिससे जितना नुक्सान होगा, उस का पचास फ़ीसदी बतौर सहायता के हम देंगे। इस वक्त उत्तर प्रदेश गवर्नमेंट के पास—इस बारे में मैं ने कल बातचीत की थी—करीब करीब ७५,८० हजार टन अनाज के स्टाक्स मौजूद हैं। इस के अलावा चालीस हजार टन हम और देने जा रहे हैं। यह बहुत भारी मिक़दार में अनाज है।

Shrimati Renu Chakravartty: In view of the fact that this need for injecting some purchasing power into the people has become a chronic affair, may I know whether in this discussion which the hon. Minister had with the State Government any effort was made to integrate the developmental plans on the basis of test relief and the relief which is being given by the Central Government by way of chana or barley or other coarse grains for distribution as doles?

Shri A. P. Jain: The question of want of purchasing power is much larger than the responsibility of this Ministry. Obviously I could not take up that question. I took up the question of making adequate supplies available to the State Government, and I can say with confidence that I have done so.

Shri Ansar Harvani: Certain Opposition parties have made allegations of starvation deaths in Eastern U.P. Has the Government made any enquiries and if so, what are the results?

Mr. Speaker: That was answered some time ago.

Shri A. P. Jain: I can deny it categorically. I have made enquiries of the U.P. Government, and they have communicated to me in writing that all cases of starvation deaths that were brought to their notice have been carefully examined and that there is not a single case of starvation death. This is what the U.P. Government have conveyed to us.

Shri Bishwanath Roy: In view of the serious food situation in Eastern U.P., may I know whether the number of fair price shops would be increased?

Shri A. P. Jain: They have got between 1,200 and 1,500 shops and they are going to increase them.

Shri Ranga: Have any relief works been organised in U.P., especially in those areas where scarcity conditions are prevailing?

Shri A. P. Jain: I understand the U.P. Government have started fairly extensive and large number of relief works.

Buckingham Canal

*1412. **Shri T. B. Vittal Rao:** Will the Minister of **Transport and Communications** be pleased to refer to the reply given to Starred Question No. 78 on the 16th July, 1957, and state what precisely are the terms of reference of the Gokhale Committee which has been asked to inspect the Buckingham Canal in August, 1957 ?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): The hon'ble member's attention is drawn to Resolution No. 3-IWT(44)|56 dated 18-2-57 and 4-4-57 which were published in the official Gazette.

Shri T. B. Vittal Rao: May I know whether along with this committee any technical experts of Andhra and Madras Governments have been associated?

Shri Humayun Kabir: The Gokhale Committee has been appointed on an all-India basis. The Andhra Government and the Madras Government have carried out their own investigations, and when this committee visited that area, they had consultations with the representatives of these Governments.

Shri T. B. Vittal Rao: May I know if after getting the report there will be any further scrutiny of it or will the works be taken up as soon as it is received?

Shri Humayun Kabir: Which report does the hon. Member refer to?

Shri T. B. Vittal Rao: As soon as the Gokhale Committee submits its report, will the works be started immediately on it, or will it again be submitted for further scrutiny by another committee?

Shri Humayun Kabir. The work will be started as soon as possible after the receipt of the report, but where very large sums of money are involved running into crores, the hon. Member will appreciate that further examination may be necessary.

Shri T. B. Vittal Rao: Only Rs. 1·12 crores have been provided in the Second Plan for the extension of this canal. Will there be any scrutiny for that small amount also?

Shri Humayun Kabir: He is not probably aware that the proposal put up by the Andhra Government alone comes to Rs. 1·25 crores.

Mr. Speaker: What is the use of asking questions like this? A report is after all to advise. Can anybody ask what they will do after perusing the report?

Shri Nagi Reddy: The point is that after the report is received, it goes from department to department and then there is an extensive waste of time.

Mr. Speaker: At least the Minister must look into it. Gokhale cannot become the Minister. Only the Minister is responsible to this House. What is the use of hon. Members asking us to surrender our sovereignty? We have created so many autonomous bodies. Do they want another unautonomous autonomous body. Hon. Members will always bear in mind that the autonomy and supremacy of this Parliament shall not be shared with any others. Therefore, we have no right over the committee, while we can catch hold of the Minister, but he can say: you asked me not to look into this matter. Therefore, such questions may be avoided. We must strengthen this Parliament as much as possible. Will there be any delay? He must look into it.

Shri T. B. Vittal Rao: That is what I say.

Mr. Speaker: The hon. Member prescribes the time. Such questions lead us nowhere.

Shri T. B. Vittal Rao: I am soorry. Let me clarify the position. This has first been examined and inspected by the Andhra and Madras Government technical experts. Then again it has been referred to this committee. So, I am asking whether again their report will be referred to another committee, or the work will be started straightaway

Mr. Speaker: It largely depends on the report.

Scarcity Areas in Andhra Pradesh

*1413. **Shri Venkatasubbaiah:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether financial aid was sought by the Andhra Pradesh Government for construction of medium sized projects in the scarcity areas of the State during 1957-58; and

(b) if so, whether any amount has been sanctioned?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes, Sir.

(b) Rs. 30 lakhs.

Shri Venkatasubbaiah: May I know which are the schemes which have been recommended by the State Government for financial aid?

Shri Hathi: Under the scarcity programme the State Government recommended 17 schemes. I have got the list but it is a long one. I shall supply it to the hon. Member if he wants. Otherwise, I shall read it if

he wants. They have all been accepted.

Shri Nagi Reddy *rose—*

Mr. Speaker: Venkatasubbaiah first, Nagi Reddy second.

Shri Venkatasubbaiah: What is the extent of the land that is going to be irrigated under these schemes?

Shri Hathi: The irrigation potential would be about 1·8 million acres.

Shri Nagi Reddy: May I konw whether the Government of Andhra has asked for greater grants for medium-scale projects in the scarcity areas?

Shri Hathi: No. The whole programme was for about Rs. 500 lakhs, which has now been increased to Rs. 650 lakhs. Out of this, they wanted Rs. 30 lakhs immediately which we have advanced.

Shri Nagi Reddy: Had they asked for a greater sum in the Second Five Year Plan period as a whole?

Shri Hathi: In fact, in the Second Plan there is no special provision for any scarcity relief programme. This is only the spillover from the provision in the first Plan which was Rs. 40 crores. Out of it, about Rs. 28 crores had been spent during the first Plan, and the balance is being distributed to the States.

Shri Thirumala Rao: Which are the districts in which these various scarcity areas are located?

Shri Hathi: Perhaps I will require notice to mention where all these 17 schemes are located, but I can supply a list of all the 17 schemes.

Shri Venkatasubbaiah: In view of the schemes which have been proposed for helping the drought and scarcity areas, may I know whether the Central Government propose to give the full financial assistance asked for by the State Government? The hon. Minister was telling us that schemes had been sent up for Rs. 6 crores. In view of the scarcity and drought conditions prevailing in those areas, will the Central Government consider the desirability of sanctioning the entire amount to stop the recurring famine conditions?

Shri Hathi: The requirement of the State has been met by the extra allocation of Rs. 150 lakhs.

Eastern Railway Press

1414. **Shrimati Renu Chakravartty:** **Shri Dasaratha Deb:**

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that increasing printing orders are being placed on outside presses from the Eastern Railway Press;

(b) whether any irregularities in the Eastern Railway Press have been brought to the notice of Government; and

(c) if so, whether any enquiry has been made in this regard?

The Deputy Minister of Railways, (Shri Shahnawaz Khan): (a) No.

(b) Yes.

(c) Yes.

Shrimati Renu Chakravartty: Is it a fact that in spite of the fact that we have expended an additional Rs. 6 lakhs for night-shift and have indented for machinery and for a large number of new personnel, the actual output of the Press has remained static? Though our information is that it is declining, in any case it has not increased. If so, what is the reason therefor?

The Minister of Railways (Shri Jagjivan Ram): There has been no decline; there has been an increase, and a substantial increase.

Shrimati Renu Chakravartty: What has been the result of the police on-the-spot inquiry into the allegations of corruption against the Superintendent of the Press?

Shri Jagjivan Ram: The inquiry has been made, report has been received and it is under examination.

Shri Dasaratha Deb: What is reason for printing orders being placed outside?

Shri Jagjivan Ram: No order for printing has been placed outside for the last one year.

Shrimati Renu Chakravartty: Very serious allegations of corruption, bribery and nepotism have been placed before the Ministry regarding the Superintendent. Is it a fact that the Ministry has only transferred this gentleman and does not propose to take any further action in the matter?

Shri Jagjivan Ram: As I have said, the report is under examination and, therefore, it is too early for me to say whether adequate action has been taken against the person against whom any guilt has been proved.

Shri T. B. Vittal Rao: When was the report received and how long will it take to examine it and come to a conclusion?

Shri Jagjivan Ram: I cannot say exactly, but it will be expedited.

Agricultural Economics and Research Projects

*1415. **Shri Sanganna:** Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No. 2585 on the 28th May, 1956, in respect of the Agricultural Economics and Research Projects as recommended by Professor John D. Black and Dr. L. Stewart and state:

(a) which of the recommendations have been accepted by Government;

(b) how far they have been implemented; and

(c) whether a copy of the report will be laid on the Table?

The Minister of Co-operation (Dr. P. S. Deshmukh): (a) and (b). A statement giving the required information is laid on the Table of the Lok Sabha. (*See* Appendix IV annexure No. 28).

(c) A copy of the report has already been placed in the Library of Lok Sabha.

Shri Sanganna: It has been mentioned in the statement that two more research centres will be opened ? Where will they be opened?

Dr. P. S. Deshmukh: The places are not yet selected.

Shri Sanganna: It is stated that research centres have been opened in certain Universities. Will any financial assistance be given to them to carry on these programmes?

Dr. P. S. Deshmukh: Yes. Financial assistance has been given as under: Delhi University Rs. 8,100; Bombay University Rs 26,620; Poona Institute —it is not University—Rs. 51, 500; Calcutta University Rs. 91,000; Banaras Hindu University Rs. 11,870; and Annamalai University Rs. 5,000.

Shri Supakar: Since when these Universities are carrying on this research work and in which other Universities the work is likely to be started in the near future?

Dr. P. S. Deshmukh: I have not got the list of all the Universities which are carrying on research, but our plan is to aid any University which sends us a scheme 100 per cent, if we approve of the scheme.

Mr. Speaker: The hon. Member wants to know what is the position about Orissa. Why should he ask about research in the whole world and ultimately not get an answer which he wants?

Shri Supakar: I found in the statement that Orissa was also mentioned.

Mr. Speaker: I see. What is the object of asking in a general way without asking a question specifically.

Shri Ranga: Are any of these centres conducting any inquiry into costs of cultivation of any of our foodgrains?

Dr. P. S. Deshmukh: That is one of the questions for investigation.

Irrigation and Power Schemes of Mysore State

*1416. **Shri Shivananjappa:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the foreign exchange requirement of Mysore State for the implementation of the Irrigation and Power Schemes have not been fully met by the Centre; and

(b) if so, what steps the Union Government have taken in this matter to help the Mysore Government?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes, Due to the extremely difficult foreign exchange position, curtailment had to be made in the allocation of foreign exchange to all the projects included in the Second Five Year Plan. Mysore also has had to bear its share.

(b) The Mysore Government, as well as other State Governments, have been requested to obtain quotations for the purchase of equipment, involving foreign expenditure on deferred payment terms. Such quotations, on receipt, will be scrutinised and release of foreign exchange sanctioned on the merits of each case.

Shri Shivananjappa: What is the foreign exchange requirement of Mysore State, and how much has been provided for by the Government of India?

Shri Hathi: For 1957-58 and 1958-59, we had asked the State Government to let us know. They have given the figure of about Rs. 90 lakhs.

Shri Shivananjappa: What are the power and irrigation schemes in Mysore State whose progress is retarded on account of paucity of foreign exchange?

Shri Hathi: As yet, the progress of no scheme has been retarded because this position has arisen only recently. So far as the Tungabhadra project is concerned, there has been no difficulty. As regards the Sheravati scheme we are considering about it and we think of taking it up with the Canadian Government for aid.

Shri Dasappa: May I know whether the State Government has been asked to negotiate for deferred payment?

Shri Hathi: We have asked them to invite quotations.

Shri Dasappa: The Minister has said that the Government or the party was asked to negotiate for deferred payment. I want to know whether it is the Centre which is thinking of negotiation or whether the State Governments themselves must send delegations for deferred payment terms just as in the case of private entrepreneurs.

Shri Hathi: These purchases are made through the Director General of Civil Supplies. But the State Governments can also do it.

Shri Wodeyar: In view of the fact that some of the projects like Honnamaradu are of great national importance, will Government find out the means for implementing at least these major irrigation and power schemes in Mysore?

Shri Hathi: Government have laid down the policy regarding priority and they will be guided by those terms.

मछली पकड़ने वाली नावें

*१४१८. **डा० राम सुभग सिंह :** क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने मछली पकड़ने वाली नावें तैयार करने का प्रशिक्षण देने के लिये कोचीन में एक प्रशिक्षण केन्द्र स्थापित किया है;

(ख) क्या उस केन्द्र ने अपना कार्य आरम्भ कर दिया है; और

(ग) यदि हां, तो उस केन्द्र में इस समय कितने प्रशिक्षार्थी प्रशिक्षण पा रहे हैं ?

कृषि उपमंत्री (श्री मो० वी० कृष्णप्पा) : (क) जी हां ।

(ख) जी हां । पहली जुलाई १९५७ से ।

(ग) दस ।

An. Hon. Member: In English also.

Shri M. V. Krishnappa (a) Yes.

(b) Yes. Since 1st July, 1957;

(c) Ten.

Dr. Ram Subhag Singh: May I know whether the persons who are admitted there as trainees belong to that trade or not?

Shri M. V. Krishnappa: They belong to the fisheries department of the maritime States.

Shri Narayanankutty Menon: May I know whether this training is imparted in any private boat-building yard or Government-owned yard?

Shri M. V. Krishnappa: This training is conducted under an F.A.O. architect, Paul Jeaner, and it is only for six months. At the end of this training we intend to go into the question whether to conduct this training or not.

Shri Narayanankutty Menon: Is there any boat-building yard in Cochin, whether private-owned or Government owned?

Shri M. V. Krishnappa: There is a boat-building yard managed by the Norwegian Fishing Project at Neendakara.

Ports in Ratnagiri District

*1419. **Shri Assar:** Will the Minister of Transport and Communications be pleased to state:

(a) whether Government are aware that so many ports of Ratnagiri District will remain unused on account of having no dredging arrangement; and

(b) whether there is any programme in the Second Five Year Plan for dredging the rivers of Ratnagiri District?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) and (b). The information is being collected and will be laid on the Table of Lok Sabha.

Shri Assar: Does the Government propose to conduct a survey in this regard?

Shri Humayun Kabir: The dredging in the minor ports will primarily be the concern of the State Governments and the Government of India has had a general survey of the whole area.

Purchase of Railway Stores

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1420. **Shri Sabbiah Ambalam:**
Shri Thanu Pillai:

Will the Minister of Railways be pleased to state whether availability of supplies locally is taken into consideration in the purchase of Railway Stores before going in for puchases from distant places?

The Deputy Minister of Railways (Shri Shahnawaz Khan): Under the present procedure for purchases, quotations are called for on the basis of F.O.R. destination of F.O.R. source of supply. In the latter case, the element of freight is taken into consideration in finally determining the cheaper source of supply Products available locally, therefore get virtual preference to the extent of element of freight that will have to be incurred in transport of stores offered by out-station suppliers.

Shri Subbiah Ambalam: May I know whether any steps have been taken to study the prevalence of cross traffic in movement of goods for Railway stores, and, if so, what steps are being taken to avoid such cross traffic in goods?

Shri Shahnawaz Khan: We are not aware of any such cross traffic.

Shri Subbiah Ambalam: Will any attempt be made to study whether any cross-traffic is prevalent in the area?

Shri Shahnawaz Khan: If the hon. Member will bring any specific cases to our notice, we will look into it.

Shri Tangamani: During the war, materials required for rolling-stock were manufactured in the Golden Rock Workshop. May I know whether the same continues now and whether the materials are obtained from neighbouring places like Coimbatore also?

Shri Shahnawaz Khan: The orders are placed, as I have said in my answer, either F.O.R. destination or F.O.R. the source and wherever we get cheap stores we purchase them.

Shri Tangamani: My point is whether you are now manufacturing those materials which were being manufactured during the war period in the Golden Rock Workshop and whether such materials which are being manufactured in the adjoining places like Coimbatore are also being indented?

Shri Shahnawaz Khan: That is entirely a separate question. We are manufacturing lots of material, hundreds of parts. We are, probably, manufacturing more than we did during the war time.

Shri R. Ramanathan Chettiar: What is the annual average purchase of Railway stores?

Shri Shahnawaz Khan: I shall require notice.

Shri Tangamani: May I know whether we are getting from abroad such of those materials as are available in India also?

Shri Shahnawaz Khan: No whatever we can purchase locally, we do not get from abroad.

Shri Feroze Gandhi: May I know whether certain types of stores which the Railways have purchased will last for about 200 years?

(No answer was given)

Shri Feroze Gandhi: I would like to have an answer to this, Sir.

Mr. Speaker: The hon. Member's question may be put otherwise.

Shri Feroze Gandhi: This has been brought to the notice of the hon. Minister in a report.

Mr. Speaker: There is a report already. I am aware of it. But the question need not be put by way of sarcasm. All that I am trying to do is to interpret it in a liberal sense.

Is provision made in the matter of purchase of stores for 15 years or 20 years or 5 years or what is the maximum period and not whether it would be sufficient for 200 years?

The Minister of Railways (Shri Jagjivan Ram): I can never imagine that any stores will be purchased for 200 years or 50 years or 30 years. And, I may assure the House that no stores are purchased which will last for 200 years.

Mr. Speaker: There are reports with respect to this matter. Hon. Members can see them.

Shri Prabhat Kar: The hon. Minister did not reply to the question that was put. Actually, for how many years are these stores being imported?

Mr. Speaker: For ourselves, if we want to take note-books we will not take for more than two months; in the case of those things which can last for a year we take for a year or for 10 years if it can last for 10 years. Therefore, it all depends upon the stores. What is the meaning of asking such a question?

Shri Jagjivan Ram: I cannot give any firm reply but it will all depend on the nature of the store. It may be, as you said, Sir, for 2 months or 5 years.

Shri T. B. Vittal Rao: Sir, there was a formula before, that the balance of stores should be 40 per cent of the annual consumption. Now the formula is given the go-by. My I know whether there is a formula evolved for maintaining the balance of stores at a particular level?

Mr. Speaker: The total amount of stores that is maintained at any particular point of time, does it exceed more than 40 per cent, which, according to the hon. Member is the formula that has been adopted for a long time?

Shri Jagjivan Ram: We would not amass the stores. But, there are certain stores which are required in very small quantities; and it may be that we purchase those stores at a particular time. And, because it is a type of stores which is not frequently used, it may last for a longer period.

Shri T. N. Singh: All that we wanted to know was this. Normally orders are placed from time to time. There has been over-stocking of certain stores which may last unduly long periods, much more than what our yearly, two-yearly or three-yearly consumption is. Some stores may have been repeated by mistake, might have been ordered every year so that now you have an accumulated stock, much beyond your normal requirements for 3 or 5 years or even 10 years. That was the point we wahted to know and what was the value of those stores.

Mr. Speaker: I am afraid all this is irrelevant to the question and does not arise out of it. The question was the total amount of stores purchased from foreign sources and stores puchased locally.

Shri T. N. Singh: Since all these are foreign purchases, we have.....

Mr. Speaker: The hon. Member must have a particular day for this. Next question.

Shri T. K. Chaudhuri: Sir, I have been trying to catch the eye of the Chair for a long time.

Mr. Speaker: The hon. Member may catch the eye in the next question.

सामुदायिक परियोजनाओं और राष्ट्रीय विस्तार सेवा खण्ड

*१४२१. श्री म० ना० सिंह : क्या सामुदायिक विकास मंत्री यह बताने की कृपा करेंगे कि सामुदायिक परियोजनाओं और राष्ट्रीय विस्तार सेवा खण्ड के अन्तर्गत जो मकान बन रहे हैं उनका नक्शा सस्ते मकानों की योजना के अन्तर्गत तैयार किया जाता है अथवा किसी अन्य योजना के ? -

सामुदायिक विकास मंत्री (श्री स० कु० डे) : निर्माण, आवास तथा संवरण मंत्रालय की सस्ते मकान बनाने की स्कीम केवल थोडा समय हुआ निश्चित रूप में आई । कार्य संघटन के लिये राज्य सरकारों ने अभी सम्बन्धित विभाग व प्रशिक्षित कर्मचारी इन के लिये नियुक्त करने हैं । सामुदायिक परियोजनाओं व राष्ट्रीय विस्तार सेवा संघ के अन्तर्गत मकान पी० डब्ल्यू० डी० द्वारा सामान्यता बनाये जा रहे हैं जिन में, जहां तक हो सकता है, "देहाती मकानों की पुस्तिका" (Manual of Rural Housing) जो कि सब राज्य सरकारों को दी जा चुकी है— के आदेशानुसार तबदीली की जाती है ।

Mr. Speaker: In English also.

Shri S. K. Dey: The cheap housing scheme of the Ministry of Works, Housing and Supply has only recently been finalised. The various organisational steps i.e. the setting up of the rural housing cells and the posting of the necessary trained staff yet remain to be taken by the State Governments. Meanwhile, the construction of the buildings under Community Projects and National Extension Service is being done by Public Departments under ordinary schemes modified, to the extent possible, by the guidance they receive from the Manual on Rural Housing which has been supplied to all State Governments.

श्री म० म० सिंह : चीप हाउसिंग स्कीम के बारे में अभी जवाब मिला कि उस का फाइनलाइजेशन हाल में ही हुआ है । इस के अनुसार कब तक काम होने लगेगा ?

Shri S. K. Dey: State Governments have been addressed by the Ministry of Works, Housing and Supply by the end of August. We expect that by the end of this year, the organisation will have been set up in the States to begin action on the lines decided.

Shri Ansar Harvani: May I know what percentage of the budget of National Extension Service Blocks is spent on the construction work of buildings for the staff and Gramsevaks?

Shri S. K. Dey: I would require notice to answer that question. I can only say that only a very little amount is spent on construction of houses.

Shri A. C. Guha: May I know if out of Rs. 4 lakhs allotted for the National Extension Service Blocks Rs. 25,000 has been earmarked for construction of office buildings and Rs. 60,000 for construction of residential quarters for the staff?

Shri S. K. Dey: The budget provision stipulates and expenditure of Rs 25,000 for office buildings, seed stores and other buildings required for block headquarters There is also a provision of Rs 60,000 which can be utilised for residential buildings for staff as also for rural housing as the circumstances demand.

Shri Thimmaiah: May I know whether the amount allotted for rural housing will be spent by the Ministry of Works, Housing and Supply or by the Community Development Ministry?

Shri S. K. Dey: It will be spent by the State Government.

Shri A. C. Guha: May I know how much of this Rs. 60,000 allotted to each NES Block has actually been spent on rural housing?

Shri S. K. Dey: I would require a separate notice to answer that question.

Shri T. N. Singh: The hon. Minister stated that personnel is being trained. What for? Is it being trained for living in those houses or for constructing those houses?

Shri S. K. Dey: If I understand the question correctly, I presume the hon. Member means the personnel in the rural housing cells visualised by the Works, Housing and Supply Ministry. If that is so, the personnel meant for the cells are intended to inject into the PWD organisation a rural bias which so far does not exist and, at the same time, to give technical assistance to the village people in the construction of cheap houses on modern lines.

Shri Sinhasan Singh: The hon. Minister has stated that the State authorities under the guidance of the Works, Housing and Supply Ministry are contemplating to build a structure of some officers for house building. May I know whether this will be different from the Community Project structure and whether the houses will be built in the community project area or other different areas?

Shri S. K. Dey: The houses are primarily intended to be located in the Community Development Project and National Extension Service Block areas.

Shri Sinhasan Singh: If that is so, there is already one machinery of the Community Development Project working in those areas. Why is it necessary to set up another machinery for house building? Why is it that this house building is also not entrusted to that same machinery?

Shri S. K. Dey: It is not intended to duplicate the machinery at the block level, but to establish at the headquarters of the State an expert cell which can give guidance to the staff now engaged at the block level for construction of cheap rural housing.

Agriculture in Community Project Areas and N.E.S. Blocks

*1632. **Shri E. M. Rao:** Will the Minister of Community Development be pleased to state how much of land has been brought under "Japanese Method" of cultivation in the Community Project Areas, and National Extension Service Blocks?

The Minister of Community Development (Shri S. K. Dey): Figures of land brought under Japanese method of cultivation particularly in Community Projects and National Extension Service areas are not available but they have been called for, from the State Governments for the period ending September, 1957 This method is taking up in an intensive way in areas wherever irrigation facilities exist, and 23·73 lakhs acres of land has been brought under the Japanese method of cultivation over the whole country during 1956-57 according to reports received from States by the Ministry of Food and Agriculture.

श्री मधुसूदन राव : क्या माननीय मंत्री जी यह बतला सकते हैं कि जापानीज पद्धति से खेती करने पर खाद्य पदार्थों का उत्पादन कितना अधिक हुआ है ?

Shri S. K. Dey: From our experience we find that the increase in production by the Japanese method of paddy cultivation is to the extent of 50 per cent sometimes it even exceeds that figure

Shri Venkatasubbaiah: May I know whether any additional staff has been engaged in NES and Community Development areas to propagate this Japanese method of cultivation, and whether the expenditure incurred on that staff is commensurate with the additional production of foodgrains in these areas?

Shri S. K. Dey: No additional staff is visualised in the National Extension Service Blocks and Community Development areas. The existing agricultural personnel at the block headquarters and village level are expected to propagate this improved method of cultivation.

सरदार अ० सि० सहगल : क्या यह सच है कि कम्युनिटी प्रोजेक्ट्स और नेशनल एक्सटेंशन सर्विस स्कीम्स में जापानीज मैथड से खेती करने को उतना प्रोत्साहित नहीं किया जाता जितना कि किया जाना चाहिए ?

Shri S. K. Dey: We are making all efforts possible, and we expect continuous improvement

Shri S. R. Arumugham: According to the third addition of Indian Agriculture, we find that the additional yield of paddy per acre by way of Japanese method of cultivation in Madras State is 1 07 maunds. This is the lowest yield compared to any other State in India I wish to know from the hon Minister whether any special steps have been taken or will be taken to improve the yield of paddy by this Japanese method of cultivation, and if so, what are those steps?

Shri S. K. Dey: The Japanese method of paddy cultivation, as is known to all, includes use of better, seeds, better fertilisers, better seedlings, line sowing and other improved methods of cultivation all of which go to improve production If in any area the results have not been commensurate with the investment, there must have been something wrong with the technique That will be improved.

श्री ना० वि० पटेल : क्या मंत्री महोदय को यह मालूम है कि जापानीज मैथड से खेती कराने के लिए जो स्टाफ रखा गया है वह उस पर पूरा ध्यान नहीं देता और इसलिए जो लोग जापानी पद्धति से अनाज बो रहे हैं उन को नुकसान हो रहा है ?

Shri S. K. Dey: I am not aware of any special staff engaged specifically for the Japanese method of paddy cultivation. As I have already indicated, it is the existing block staff who are propagating the idea.

Some Hon. Members rose—

Mr. Speaker: We are going on into a discussion as to how much land has been brought under cultivation, various other methods of improvement and so on, just like a general discussion.

Shri Shahasan Singh: I want to ask only one question. May I know whether any particular facility is given by the Government to the cultivators for adopting the Japanese method of cultivation?

Shri S. K. Dey: Seeds are supplied to the cultivators, so also fertilisers. Other such facilities are also given apart from technical assistance in regard to cultivation.

Baraset-Hasnabad Railway Line

*1423. **Shri T. K. Chaudhuri:** Will the Minister of Railways be pleased to state:

(a) whether the final alignment for the laying of the broad-gauge Railway line from Baraset to Hasnabad *via* Basirhat has been decided upon in consultation with the West Bengal State Government;

(b) whether the preliminary engineering and traffic survey for this line has been completed; and

(c) if not, the reasons therefor?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) The formal approval of the State Government to the final alignment is still awaited.

(b) Yes, Sir.

(c) Does not arise.

Shri T. K. Chaudhuri: If the survey has been completed from the railway side, may I know why it is that this year some provision has still been made for this survey in the Railway Budget?

The Minister of Railways (Shri Jagjivan Ram): There is no question of any further survey. The survey has been completed, sanction has been accorded and the work is to be taken in hand as soon as formal approval of the West Bengal Government regarding the alignment is received.

Shrimati Renu Chakravartty: Considering that the traffic survey and the engineering preliminary report have already been completed nearly two months back, may I know the reason why the West Bengal Government has not yet given its approval?

Shri Jagjivan Ram: I cannot say. We have written to the State Government. That is a very thickly populated area and the State Government will have to acquire the land for the Railways. Therefore, we want to have their approval for the alignment. They suggested certain modifications which we have included, and now we have asked for their final approval. I do not know why the delay has occurred.

Shrimati Renu Chakravartty: In view of the fact that by the Planning Act we can start construction work even pending the land acquisition proceedings, may I know whether actually the Railway Ministry is going to start construction immediately even without waiting for the land acquisition?

Shri Jagjivan Ram: We have sanctioned certain works which we can start—construction of houses and buildings That work has taken up, but the actual construction of the railway line cannot be undertaken until the land acquisition proceedings are over.

Shri S. C. Samanta: May I know whether the numerous complaints put forward against the alignment have been finally settled?

Shri Jagjivan Ram: The final suggestion of the West Bengal Government regarding the alignment where the railway can be most useful has been agreed to.

Shrimati Renu Chakravartty: Rs. 20 lakhs have been allotted in the budget for this year. Now, about half the year is over. May I know wheher the amount is actually going to be spent, or it will be allowed to lapse again owing to the procedural rules, etc.

Shri Jagjivan Ram: In any case, it will not lapse, and we hope to spend the money as soon as we receive the approval of the West Bengal Government.

Short Notice Question and Answer

Steel Purchasing Mission

S.N.Q. No. 22. Shri T. B. Vittal Rao: Will the Minister of Railways be pleased to state:

(a) Whether the Steel Purchasing Mission of Railway Board which visited Europe recently has concluded a deal for supply of steel;

(b) if so, the quantity and value of steel in Indian currency to be supplied;

(c) when they will be delivered at Indian Ports; and

(d) projects likely to be expedited on receipt of this supply?

The Minister of Railways (Shri Jagjivan Ram): (a) The Steel purchasing Mission from the Railway Board have placed orders for most of the steel requirements of the Railways;

(b) Orders have been placed for 5·22 lakh tons of iron and steel valued approximately 36 crores of rupees;

(c) Shipments have already commenced from August 1957 and are expected to be completed by March 1959.

(d) mainly track renewals.

Shri T. B. Vittal Rao: May I know whether the Mission observed any abnormal spurt in the prices of steel in those countries because we had announced that we are in dire need of steel?

Shri Jagjivan Ram: No. There was no rise in prices on that account and it is rather an abnormal phenomenon that lower prices were quoted.

Shri T. B. Vittal Rao: May I know whether, in the agreement that has been entered into, any penalty provisions have been made for short supply or delayed supply?

Shri Jagjivan Ram: I think that is a normal clause in all such agreements.

Shri Sinhasan Singh: May I know which are the countries from where these supplies are coming?

Mr. Speaker: What is the object?

Shri Jagjivan Ram: There are many countries. I can read out the names.

Mr. Speaker: No, no. If the hon. Member is interested in a particular country, he will put the question.

Shri Sinhasan Singh: I want to know.

Mr. Speaker: What is the object?

Shri Sinhasan Singh: The object is. knowing the names of the countries.

Mr. Speaker: Any particular question must be able to shed more light on the issue. The items must be purchased from some countries.

Shri Ranga rose—

Shri Sinhasan Singh: The other countries may offer at lesser prices.

Mr. Speaker: He may say which is the lowest price and which country offers it.

Shri Sinhasan Singh: I want to know wherefrom they are getting it and whether the offer was made to countries which might have quoted lesser rates.

Shri Jagjivan Ram: We have purchased from ten countries—all the important countries of the world.

Mr. Speaker: Our time is too precious for all these countries.

Shri Ranga: In the light of past experience with the railways themselves, regarding their purchases and the agreements they have reached, may I know whether the hon. Minister himself took the trouble to look into the agreement and see whether a proper penalty clause is put in there for proper deliveries. Otherwise, so

much has got to be deducted from the cost price, especially when the PAC has drawn the attention of the Government to such things in the past.

Shri Jagjivan Ram: That does not apply in these cases where an *ad hoc* quantity of steel is to be supplied. I have not myself seen that particular clause in the agreement. I have not seen the agreement, but I presume that that is the normal feature in all such cases and care would have been taken of that aspect.

WRITTEN ANSWERS TO QUESTIONS

Irrigation and Power Targets under First Five Year Plan in Rajasthan

*1424. **Shri Harish Chandra Mathur:** Will the Minister of **Irrigation and Power** be pleased to state what steps, if any, have been taken to remove the causes for the abnormal shortfall in irrigation and power targets under the First Five Year Plan in Rajasthan?

The Deputy Minister of Irrigation and Power (Shri Hathi): In regard to irrigation, the Planning Commission have *inter alia* addressed the State Government to appoint Working Groups to investigate the causes of shortfall and find out ways and means of quick development of irrigation.

As regards the power sector, the shortfall has been mainly due to the delays in the procurement of material and equipment and lack of experienced technical personnel. Necessary assistance is being rendered to the State Government in the procurement of electrical plant and equipment, transmission line materials etc., to the extent possible.

Kolleru Lake in West Godavari District Andhra Pradesh

*1425. **Shri B. S. Murthy:**
Shri M. V. Krishna Rao:

Will the Minister of **Irrigation and Power** be pleased to refer to the reply given to Starred Question No. 17 on the 20th March, 1957 and state:

(a) whether the Andhra Pradesh Government have since sent any scheme for the development of Kolleru Lake in West Godavari District Andhra Pradesh; and

(b) if so, the details of the proposed scheme?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) No, Sir.

(b) Does not arise.

Central Foodgrain Godowns

*1426. **Shri J. R. Mehta:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) what was the wastage per maund per annum of wheat and rice stored in Central Godowns for the latest year for which figures may be available;

(b) what is the normal period for which wheat and rice can be preserved without risk of damage or deterioration in godowns which have not been made scientifically rust or insect proof;

(c) whether the Government of India has constructed any godowns which may be rust or insect or moisture proof;

(d) if so, how many and of what capacity; and

(e) how long can wheat and rice be stored in these godowns without risk of damage or deterioration?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) For the year 1956 quantities of wheat and rice damaged or deteriorated in storage worked out to 0·05 and 0·13 chhattaks per maund, respectively.

(b) There can be no normal period for safe storage of grain in such godowns as deterioration may start immediately after storage, unless adequate steps are taken for preservation.

(c) Yes. Government has constructed or acquired godowns which are rust-proof and which have damp-proof floors. These are being kept free of insects by scientific methods, as far as possible.

(d) So far such godowns of a total capacity of 3 lakh tons have been constructed or acquired at ten centres.

(e) With the methods of preservation adopted, wheat can be stored for about 2 years and rice for 1 to 2 years.

Resettlement of Farmers on Bhoodan Lands

*1427. **Shri Bishwanath Roy:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether any scheme is under consideration of Government for resettlement of farmers on Bhoodan lands; and

(b) if so, the important features of the scheme?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) A pilot scheme for settlement of about 250 landless agricultural workers on an area or about 1000 ares of Bhoodan lands in Bihar was sanctioned in June last.

Another proposal from the Bihar Government costing Rs one crore for the resettlement of landless persons on Bhoodan lands in villages where land is held on individual basis is under consideration.

(b) The details are being worked out.

रेलवे गोदाम

*१४२८. **श्री प० ला० बाकपाल :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बीकानेर डिवीजन के जिला गंगा नगर आदि की मुख्य अनाज की मंडियों में रेलवे गोदाम बिना छत के हैं और इसके फलस्वरूप वहां रखा गया गल्ला वर्षा के पानी से भीग कर सड़ जाता है और इसके कारण किसानों तथा व्यापारियों का भारी नुकसान होता है; और

(ख) बीकानेर डिवीजन में ऐसे कितने रेलवे स्टेशन हैं, जहां इस प्रकार के गोदामों में अनाज रखा जाता है ?

रेलवे उपमंत्री (श्री शाहनवाज खां) : (क) और (ख). एक बयान सभा पटल पर रख दिया गया है । [देखिये परिशिष्ट ४, अनुबन्ध संख्या २६]

Rice Exports from Andhra

*1429. **Shri Jinachandran:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that even after the formation of the South Zone rice has been exported from Andhra to Bombay and West Bengal;

(b) if so, the quantity of rice so exported;

(c) whether such export was with the consent of the Government of India;

(d) whether any rice which has reached West Bengal from Andhra has been exported to Pakistan;

(e) if so, the quantity of rice so exported; and

(f) the price of rice now prevailing in Andhra and West Bengal?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (c). Yes, Sir, A quantity of about 5,000 tons rice was moved from Andhra to West Bengal and Bombay under permits. Further movements to these States have been stopped.

(d) and (e). No, Sir; General and vague allegations have been made that rice despatched from Andhra to Calcutta area is ultimately smuggled into

Enquiries made show that these allegations were baseless.

(f) During the week ending 27th August, 1957 the prices of rice prevailing in West Bengal and in Andhra Pradesh for common rice ranged between Rs. 18·94 & Rs. 22:50, and Rs. 21·25 & 23·50 per maund respectively.

Zoological Park in Delhi

*1430. **Shri D. C. Sharma:**
Shri Bhakt Darshan:
Shri Ram Krishan:

Will the Minister of **Food and Agriculture** be pleased to state the progress made towards the establishment of a zoological park in Delhi?

The Minister of Food and Agriculture (Shri A. P. Jain): A statement is laid on the Table of Lok Sabha. [*See* Appendix IV, annexure No. 30].

रक्सौल हवाई अड्डा

*१४३१. **श्री विभूति मिश्र :** क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने बिहार के चम्पारन जिले में बन रहे रक्सौल हवाई अड्डे को चालू करने के लिये कोई तिथि निश्चित की है; और

(ख) यदि हां, तो वह क्या है ?

परिवहन तथा संचार मंत्रालय में राज्य-मंत्री (श्री हुमायूं कबीर): (क) और (ख). काम अभी ही शुरू किया गया है और इस लिये कोई तारीख मुकर्रर करना मुमकिन नहीं है ।

Trisuli Hydro-Electric Project

*1432. **Shri Shree Narayan Das:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether the execution of Trisuli Hydro-electric project undertaken by the Government of India is being carried on by Central Water and Power Commission or any special agency has been set up;

(b) what is the strength of our Engineers and other technical personnel engaged there;

(c) what is the total expenditure involved and what progress has been made; and

(d) the target fixed for the completion of this project?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) to (d). A division comprising of one Executive Engineer, three Assistant Engineers, and other staff, has been deputed to Nepal for detailed investigations of the scheme. The report of this team is awaited. The estimated cost of project is approximately Rs. 3 crores, but further details are a matter for decision in consultation with the Nepal Government after the detailed investigation report has been examined.

Galbraith Report on Indian Railways

*1433. **Shri Sanganna:** Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No 2111 on the 10th May, 1956 regarding the report of Mr. John Kenneth Galbraith, Professor of Economics, Harvard University, on Railways under the Second Five Year Plan and state:

(a) whether any action has since been taken by Government thereon; and

(b) if so, the details thereof?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) and (b). A statement giving the views of the Railway Board on the recommendations made by Professor John Kenneth Galbraith is laid on the Table of Lok Sabha. [*See* Appendix IV annexure No. 31]. It also indicates the action taken on the points raised in his note.

दिल्ली (मुख्य) स्टेशन

*१४३४. डा० राम सुभग सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि समाज-विरोधी तत्वों के आतंकवादी कार्य दिल्ली रेलवे स्टेशन पर इन दिनों बढ़ते जा रहे हैं; और

(ख) यदि हां, तो इन कार्यों को रोकने के लिये सरकार द्वारा क्या कदम उठाये गये हैं ?

रेलवे उपमंत्री (श्री शाहनवाज खां) : (क) दिल्ली रेलवे स्टेशन पर समाजविरोधी लोगों (unsocial elements) की आतंक फैलाने वाली कार्रवाइयों (terroristic activities) की जो बात कही गयी है, उसका जवाब 'नहीं' में है। लेकिन इस तरह की कुछ शिकायतें आयी थी कि बिना लाइसेंस वाले भारिक (कंगले) मुसाफिरों का सामान ढोने के बहाने दिल्ली स्टेशन पर आते हैं और चोरी करते हैं।

(ख) कंगलों का उत्पात (nuisance) रोकने के लिए सख्त कार्रवाइयां की गयीं और इसे खत्म करने के लिए बड़ी तादाद में पुलिस और रेलवे सुरक्षा दल (Railway Protection Force) के आदमी लगाये गये। उन्होंने सैकड़ों कंगलों को गिरफ्तार किया। उन पर मुकदमे चलाये गये और उन्हें सजा दिलायी गयी। इस मसले को कारगर तौर पर हल करने के लिए दिल्ली स्टेशन पर इस समय पंजाब पुलिस का एक स्पेशल दस्ता रिजर्व में रखा गया है और उसकी मदद के लिए रेलवे सुरक्षा दल के काफी आदमी भी तैनात कर दिये गये हैं। इन कार्रवाइयों का नतीजा यह है कि हालत बहुत कुछ काबू में है।

Andaman Forests

*1435. **Shrimati Renu Chakravartty:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether ample timber suitable for making railway sleepers is available in the Andamans; and

(b) if so, whether any attempt has been made to set up a factory to this end?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes; Sir.

(b) There are already two Sawmills in Andamans handling about 32,000 tons a year. Apart from improving their working, there is also a proposal to have another Sawmill in North Andamans which is being pursued.

Push Button Telegraph Machine

*1436. **Shri Assar:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that a Push Button Telegraph machine was installed m Bombay C.T.O. recently.

(b) how many centres in the country have so far been connected or proposed to be connected with the help of this machine; and

(c) what expenditure was incurred for purchasing this machine?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) Yes, Sir.

(b) 15 Stations in the country have so far been connected to the exchange at Bombay.

(c) The cost of complete installation of the equipment at Bombay is Rs. 17 lakhs.

High Level Flood Committee

*1437. **Shri T. K. Chaudhuri:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether the High Level Flood Investigation Committee appointed by

the Central Government visited West Bengal some time back;

(b) whether the Committee will investigate the causes of the floods in the Mayurakshi basin in September 1956;

(c) whether the Committee has obtained a copy of the Report of the Expert Committee appointed by the West Bengal Government to enquire into the causes of the said floods for their consideration; and

(d) whether the attention of the Ministry has been drawn to the special features of these floods and whether steps have been taken to obtain the findings and recommendations of the High Level Flood Investigation Committee in this regard at an early date?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) to (d). A statement containing the requisite information is laid on the Table of the Lok Sabha [See Appendix IV annexure No. 32.]

Inland Water Transport in Andhra

*1438. **Shri B. S. Murthy:** Will the Minister of **Transport and Communications** be pleased to state:

(a) the steps taken so far for the development of inland water transport in Andhra Pradesh;

(b) the details of the network of canals linking up the various rivers in the State; and

(c) the amount set apart for this purpose in the Second Five Year Plan?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) The Government of India sanctioned a grant to the Andhra Pradesh Government for technical investigations relating to the development of the Buckingham Canal The estimates submitted by the Andhra Pradesh Government after the investigations are at present under examination by the high-level Committee on Inland Water Transport set up under the chairmanship of Shri B. K. Gokhale. This Committee is also studying the position regarding other waterways in Andhra Pradesh.

(b) The existing canals linking the rivers in Andhra Pradesh are the following:—

The Kakinada Canal	..	32 miles.
The Godavari Canal	..	46 miles.
The Ellore Canal	..	40 miles.
The Krishna Western Delta Main Canal	..	12 miles.
The Commamur Canal	..	58 miles.
The Buckingham Canal (up to Madras boundary)		160 miles.

(c) A lump sum provision of Rs. 115 lakhs has been included in the Second Five Year Plan for the development of the Buckingham Canal. This covers the entire length of the canal in Andhra Pradesh and 36 miles in Madras State.

लम्बा सफर करने वाले यात्रियों के लिये सुविधायें

*१४३९. श्री सुबोध हासदा :
श्री राम शंकर लाल :

क्या रेल मन्त्री यह बताने की कृपा करेंगे कि लम्बा सफर करने वाले यात्रियों की सुविधा के लिये उन्हें रेल गाड़ियों के डिब्बों में अलग बैठाने की जो नई योजना है उसका ब्योरा क्या है ?

रेलवे उपमंत्री (श्री शाहनवाज खां) : एक बयान सभा-पटल पर रख दिया गया है। [देखिये परिशिष्ट ४, अनुबन्ध संख्या ३३]

Road Bridges on National Highway No. 5

*1440. **Shri Sanganna:** Will the Minister of **Transport and Communications** be pleased to refer to the reply given to Unstarred Question No. 559 on the 31st May, 1957 and state:

(a) whether any estimates have been prepared for the bridges on Na-

tional Highway No. 5 over the rivers Birupa, Brahmani and Mahanadi; and

(b) if so, what are the estimates?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) Estimates have been prepared in the case of Bridges over Birupa and Mahanadi, but sanction has been witheld due to tight financial position and restrictions in Foreign Exchange. The estimate for the proposed bridge over Brahmani is being prepared.

(b) **Birupa:**—Rs. 23,16,500.

Mahanadi:—Rs. 1,23,41,800.

Fruits Exhibition

*1441. **Shri Shree Narayan Das:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the proposal to organise an All India exhibition of fruits and fruit-products has been finalised;

(b) if so, where and when the first such exhibition will be held; and

(c) the estimated expenditure on this account?

The Minister of Food and Agriculture (Shri A. P. Jain) (a) Yes Sir, in conjunction with the All India Fruit shows organised by the I.C.A.R.

(b) Two such exhibitions relating to banana and banana products will be held this year one at Hyderabad for the Southern region in October, 1957 and the other at Calcutta for the Eastern region in December, 1957.

(c) The estimated expenditure on these shows is Rs. 75,460.

Community Development and N.E.S. Blocks in Orissa

1125. **Shri P. G. Deb:** Will the Minister of **Community Development** be pleased to lay on the Table a statement showing:

(a) the number of National Extension Service and Community Development blocks opened so far in the Adivasi and Scheduled Caste areas of Orissa and the total outlay incurred thereon by Central Government; and

(b) the number of blocks proposed to be opened in the above mentioned areas under the Second Five Year Plan and the amount to be spent?

The Minister for Community Development (Shri S. K. Dey): (a) Blocks opened so far:—

1. N.E.S. Blocks	.. 43
2. C.D Blocks (by conversion from N.E.S.)	.. 5
3 Multipurpose Blocks	.. 4
4. C.D Blocks which have entered post-intensive phase	.. 4

Total expenditure including State's share on these Blocks from inception upto May, 1957 is as under:—

	Rs.
N E S Blocks ..	40,30,126
C D Blocks ..	89,94,132
Total	1,30,24,258

(b) N E S Blocks .. 148

C.D. Blocks (by conversion from N.E.S.) .. 55

Estimated expenditure during the Second Five Year Plan on C.P. and N.E.S Blocks in those areas would be about Rs. 8 crores including Rs. 60 lakhs from the Ministry of Home Affairs for 4 special Multipurpose blocks.

पर्यटक

११२६. **श्री सरजू पांडे :** क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५६–५७ में कितने पर्यटक भारत आये; और

(ख) सबसे अधिक पर्यटक किस देश से आये ?

परिवहन तथा संचार मंत्रालय में राज्य मंत्री (श्री हुमायूं कबीर) : (क) १९५६

के साल में ६८,८८० पर्यटक आये । १९५७ के आंकड़े (statistics) अभी नहीं मिले ।

(ख) १९५६ में सब से अधिक पर्यटक अमेरिका से आये हैं ।

Krishna Barrage-*cum*-Road Bridge Scheme

1127. Shri Nagi Reddy: Will the Minister of **Irrigation and Power** be pleased to state:

(a) when the Krishna Barrage-*cum*-Road Bridge Scheme would be completed;

(b) whether the Central Government have received from the Government of Andhra Pradesh the plan of the new canals to be dug; and

(c) if so, whether it has been approved by the Centre?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) June, 1958.

(b) No, Sir.

(c) Does not arise.

Telegraph Offices

1128. Shri M. V. Krishna Rao: Will the Minister of **Transport and Communications** be pleased to state the places where telegraph offices are proposed to be provided in Andhra Pradesh during 1957-58?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): Provided the requisite stores become available in time, the following telegraph offices are expected to be opened during 1957-58.

1. Anantharajupeta
2. Annavaram
3. Atmakur
4. Chitvel
5. Duvvur
6. Jaggampeta
7. Kanchikacheria
8. Kanakal
9. Kodangal
10. Korukonda
11. Kurichodu
12. Mantapampalle
13. Miryalguda
14. Nagar Kurnool
15. Nagayalanka
16. Nizamapatnam
17. Obalivaripalle
18. Palur
19. Pendurthi
20. Penumantra
21. Sirsilla
22. Srikakulam
23. Subbavaram
24. Tapeswaram
25. Vemalwada

Reserved Posts for Anglo-Indians in Railways

1129. Shri Frank Anthony: Will the Minister of **Railways** be pleased to state:

(a) the number of posts reserved for Anglo-Indians, on each Railway, for the calendar years 1946, 1947, 1950, 1951, 1952, 1953, 1954 and 1956;

(b) the number of Anglo-Indian applicants for the above posts in each of the above years; and

(c) the number of the above posts actually filled by Anglo-Indians during the above years on each Railway?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) to (c). The information is being collected and will be laid on the Table of the Lok Sabha as soon as available.

Telephones

1130. Shri D. C. Sharma: Will the Minister of **Transport and Communications** be pleased to state:

(a) the number of additional telephones applied for installation in India during 1956-57; and

(b) the number of telephones installed during the same period?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) 51,014:

(b) 30,812.

Passenger Amenities at Tambaram Sanatorium Halt

1131. Shri Shree Narayan Das: Will the Minister of **Railways** be pleased to state:

(a) whether the question of providing waiting hall facilities at the Tambaram Sanatorium Train Halt has been considered; and

(b) if so, with what result?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) It is proposed to provide a small cover over the platform and enclose a portion of it for a waiting hall;

(b) The work is proposed to be undertaken during the current year.

R.M.S. Office at Panchkura Station

1133. Shri S. C. Samanta: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether there is any proposal to open an R.M.S. office at Panchkura Railway Station on South Eastern Railway (between Howrah and Kharagpur);

(b) whether any survey was made as to how much transactions are made through that Station; and

(c) if so, what are the inward and outward traffic through the Station?

The Minister of State in the Ministry of Transport and Communications. (Shri Humayun Kabir): (a) There was a proposal which has been considered and dropped as its acceptance would not have resulted in any improvement.

(b) and (c). Yes, Sir. At present 3 transit bags (containing 17 direct mail bags) and 7 other mail bags are due to be received and 5 transit bags (containing 17 mail bags) and 13 other mail bags are due to be delivered at the Panchkura Railway Station.

	Traffic		
	Unregistered articles.	Registered articles	Money Orders
Outward	2453	110	101
Inward] .	1973	111	8 6

Indian Telephone Industries

1134. Shri Keshava: Will the **Minister of Transport and Communications** be pleased to state:

(a) whether the Indian Telephone Industries are producing any articles which are not meant for telephones;

(b) if so, what are the articles; and

(c) whether there is any programme for production of automatic vote recorder equipment?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) Yes, Sir.

(b) Turned parts like screws, condensers and some die-cast items like coat hangers.

(c) Not at present.

Consolidation of Land Holdings

1135. Pandit D. N. Tiwary: Will the Minister of **Food and Agriculture** be pleased to state:

(a) the progress made in consolidation of land holdings of the villages of Delhi during 1957-58 so far;

(b) the difficulties that Government have to encounter in the consolidation work; and

(c) the number of families that represented against the consolidation proceedings.

The Minister of Food and Agriculture (Shri A. P. Jain): (a). There are 358 villages in the Union Territory of Delhi. In 76 villages, the strata being either ravine or hilly does not permit of consolidation work being undertaken. Thus, this work was possible in 282 villages.

Consolidation work has been completed in 210 villages. It could not be completed in the remaining 72 villages as the proceedings were suspended with effect from 31st August, 1955, pending the implementation of the Delhi Land Reforms Act, 1954, which seems to confer bhoomidari rights on tenants. The work under the Act is expected to be completed by December, 1957. Consolidation work will be started again thereafter and it is proposed to cover 36 villages in 1957-58 and 36 villages in 1958-59.

(b) The pace of consolidation work has not been slow, but the well-known factors such as party factions in villages and sentimental attachment of the cultivators in respect of their holdings stand in the way. Once, however, the benefits of consolidation become demonstrably manifest to the cultivator, he does not raise such objections.

(c) No family record is kept and the information asked for is not, therefore, available.

Training of Class IV Staff in Railways

1136. Shri S. C. Samanta: Will the Minister of **Railways** be pleased to state:

(a) whether any arrangements have been made for the initial training of all recruits to Class IV staff;

(b) whether the staff recruited who have some initial knowledge in some technical things, are allowed to prove their merit in their subjects; and

(c) whether the Kharagpur Workshop will be surveyed for the purpose?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) On some railways arrangements have been made for the training of certain categories of Class IV staff while on others these are in hand. There are regular training schools for the training of Sainiks in the Railway Protection Force.

(b) Yes.

(c) The Railway Administration have already undertaken a survey of personnel in the Kharagpur Workshop.

New Crossing Station on N. E. Railway

1137. Shri Shree Narayan Das: Will the Minister of **Railways** be pleased to state:

(a) whether the question of opening a crossing station or a new station (i) between Mohammadpur and Kamtaul and (ii) between Kamtaul and Jogiara on the Darbhanga Narkatiaganj Section of the North-Eastern Railway has been considered;

(b) if so, with what result;

(c) whether any representation to that effect on behalf of the public of that locality has been received; and

(d) if so, the nature of decision taken thereon?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a), (b), (c) and (d). The question of opening crossing stations between Mohammadpur and Kamtaul and Kamtaul and Jogiara was considered in August '55 and it was found that there was no justification therefor in either case

There has been no demand from the public for a station between Mohammadpur and Kamtaul during the last 7 years.

Some representations were received from the public for a station between Kamtaul and Jogiara in September-October, 1953 and April '54, but on examination it was found that there was no justification for opening such a station.

Import of Heavy Machinery

1138. Shri Gajendra Prasad Sinha: Will the Minister of **Railways** be pleased to state:

(a) the total expenditure involved in the import of heavy machinery such as Earth Moving Plants in 1955-56 and in 1956-57 for Railway construction works; and

(b) what portion of Bhilai link line was constructed by manual labour?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) There has been practically no expenditure on account of import of heavy machinery on Indian Railways during 1955-56 and 1956-57 except a sum of Rs. 51,46,832 incurred by the Ganga Bridge Administration during 1955-56 on the import of heavy machinery.

(b) The entire link has been constructed by manual labour

दिल्ली में गन्दगी की निकासी

११३९. श्री टंडिया : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार दिल्ली की नालियों से बहने वाले गन्दगी को जो फिलहाल यमुना नदी में गिरायी जाती है, किसी अन्य जगह गिराने की व्यवस्था करने के बारे में सोच रही है;

(ख) क्या दूसरे शहरों में भी इसी तरह से गन्दगी नदियों मे गिरायी जाती है; और

(ग) क्या गन्दगी की इस तरह निकासी से जनता के सामान्य स्वास्थ्य पर बुरा प्रभाव नही पडता ?

स्वास्थ्य मंत्री (श्री करमरकर) : (क) जी हां। निम्नलिखित छः मुख्य स्थानों पर यमुना नदी में गन्दे पानी का ऊपरी बहाव गिरता था :—

१. नजफगढ़ नाले के पास ।

२. मटकाफ हाऊस के पास ।

३. माल रोड के पास ।

४. यमुना पुल के पास ।

५. दिल्ली दरवाजे के पास ।

६. बड़ा पुल के पास ।

कारोनेशन पिलर मल संयंत्र और निगम बोध मल पंपिंग स्टेशन के चालू हो जाने से पहले तीन स्थानों पर ऊपरी बहाव बन्द हो गया है । शेष तीन ऊपरी बहावों को १९५८ तक बन्द होने की संभावना है जब कि दिल्ली गेट मल-प्रणाल पूर्ण होने की आशा की जाती है।

(ख) गंदी नालियों की धारिता पर्याप्त न होने पर नदी के किनारों पर स्थित अधिकांश शहरो में नालियो का पानी नदियों में गिरता है ।

(ग) यदि नदी के बहाव की तुलना में ऊपरी बहाव के गन्दे पानी की मात्रा अधिक हो तो उसके ठीक नीचे बहने वाले पानी के गुण पर इस गन्दगी का बुरा प्रभाव पड़ता है। यदि ऐसे पानी का पीने के लिये उपयोग करना हो तो उसका समुचित संस्कार करना होगा ।

Ejectment of Licencees from Monifit Bustee

1140. Shrimati Renu Chakravartty: Will the Minister of **Railways** be pleased to state:

(a) whether notices of ejectment have been served on the licencees living in Monifit Bustee in Tatanagar Railway Station;

(b) if so, the reasons therefor; and

(c) whether Government contemplate leasing to them alternative railway land nearby?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes.

(b) The licencees of Monifit Bustee are required to be evicted, as the area occupied is needed by the Railway in connection with the expansion of Tatanagar Marshalling Yard facility.

(c) The Railway have decided to license out alternative plots to them nearby.

Urban Water Supply and Drainage Schemes

1141. Shri Rami Reddy: Will the Minister of **Health** be pleased to state:

(a) the States which have submitted Schemes for urban water supply and drainage to the Government of India; and

(b) the estimated cost of such schemes separately State-wise?

The Minister of Health (Shri Karmarkar): (a) and (b). A statement containing the required information is laid on the Table of Lok Sabha. [*See* Appendix IV, annexure No. 34].

Catering on Grand Trunk Express

1142. Shri B. S. Murthy: Will the Minister of **Railways** be pleased to state:

(a) whether there were any complaints that the food-rice, curry etc. supplied by the Dining Car on the G. T. Express is not sufficient;

(b) how the food compares with the food supplied at Secunderabad both with regard to the menu and rates; and

(c) the steps taken to improve the quality and quantity supplied?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) During the period 1-1-57 to 31-7-57, there was only one such complaint which also was not substantiated.

(b) A statement is attached [*See* Appendix IV, annexure No. 35].

(c) The quantity of cereals supplied as a part of the Indian style meals has been standardized and is adequate.

The Dining Car service on the G.T. Express trains has been departmentalised some time ago and the standard of food and service has since shown a marked improvement. Attention will continue to be paid, not only to maintain but also to improve upon this quality.

Cane Pest and Disease Control Boards

1143. Shri Sangamma: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Sugar delegation to Australia and Indonesia in 1955 recommended that cane pest and Disease Control Boards should be established on the Australian pattern in every sugarcane growing district which has one or more sugar factories;

(b) if so, what steps have been taken in this regard?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, Sir.

(b) As action for setting up of such Boards has to be taken by the State Governments, the matter is being examined in consultation with them.

Foreign Scholarships for Training in Agriculture

1144. Dr. Ram Subhag Singh: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether certain foreign countries have offered some scholarships to Indian nationals for specialised training in agriculture;

(b) if so, which are those countries; and

(c) how many scholarships have been offered by each one of them?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes.

(b) and (c). The offer of the Government of Sweden to award 5 scholarships for training of Indian officers in Animal Gynaecology and Obstetrics at the Royal College of Veterinary Science, Stockholm was accepted. Five officers of the State Governments of Andhra Pradesh,

Kerala, Assam, Madhya Pradesh and Orissa were deputed to Sweden against these scholarships in the month of March 1957, for a period of about 9 months. On return the officers will be utilised for teaching the subjects of Animal Gynaecology and obstetrics in the State Veterinary Colleges.

Besides the above offer, the Governments of U. S. S. R, Yugoslavia and France have offered 11, 3 and 14 scholarships, respectively for the year 1957-58 and Agriculture is one of the subjects of Studies Training. These offers have also been accepted by the Government of India and the selections of candidates for these scholarships are being finalised by the Ministry of Education and Scientific Research.

Dredgers at Calcutta Port

1145 **Shri S. C. Samanta**: Will the Minister of **Transport and Communications** be pleased to state whether it is a fact that the dredgers at the Calcutta Port spend more time at the moorings than on actual dredging and they work the maximum eight hours a day?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): No. Each dredger in the Port of Calcutta is worked for 10 to 14 hours a day on an average.

रेलवे में हिन्दी पदाधिकारी

११४६. **श्री राम सहाय तिवारी** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे के विभागों में हिन्दी अनुवाद के लिये और रेलवे कर्मचारियों को हिन्दी पढ़ाने के लिये हिन्दी पदाधिकारियों के पद मंजूर किये गये हैं;

(ख) रेलों में और रेलवे बोर्ड में उपरोक्त कार्यों में एकरूपता लाने के लिये और तत्सम्बन्धी प्रगति की ओर लगातार ध्यान रखने के लिये क्या कोई निरीक्षक अब नियुक्त किया गया है; और

(ग) यदि नहीं, तो इस काम की देखभाल के लिये क्या व्यवस्था की गई है ?

रेलवे उपमंत्री (श्री साहनवाज खां) : (क), (ख) और (ग). एक बयान सभा-पटल पर रख दिया गया है। [देखिये परिशिष्ट ४, अनुबन्ध संख्या ३६]

रेलवे बोर्ड में हिन्दी सहायकों की भर्ती

११४७. **श्री राम सहाय तिवारी** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रेलवे बोर्ड के कार्यालय में हिन्दी सहायकों की भर्ती के लिये सभी क्षेत्रीय रेलों में १४ जुलाई, १९५७ को एक लिखित परीक्षा ली गयी थी;

(ख) क्या उपरोक्त परीक्षा में प्राविधिक कर्मचारियो जैसे स्टेशन मास्टर, गुड्स क्लर्क, ट्रैवलिंग टिकिट इंस्पैक्टर, कोचिंग क्लर्क, पेसेन्जर गाइड आदि को बैठने की अनुमति दी गयी थी;

(ग) रेलवे बोर्ड की सेवाओं के लिये और विशेष कर इस्टैब्लिशमेंट आफ पूल्स मैन्युअल आदि जैसी टैक्निकल पुस्तकों के अनुवाद के लिये इन श्रेणियों के कर्मचारियों को पदोन्नति करने की नीति का सेवा नियमों के सेवा विनियमो के अनुरूप है;

(घ) क्या यह सच है कि रेलवे बोर्ड के ऐसे कर्मचारियों को, जिनके पास हिन्दी की विशेष योग्यतायें हैं, परीक्षा में बैठने की अनुमति नही दी गई यद्यपि उन्होंने उसके लिये आवेदन-पत्र भेजे थे; और

(ङ) यदि हां, तो उसके क्या कारण हैं ?

रेलवे उपमंत्री (श्री साहनवाज खां) : (क) जी हां ।

(ख) उन सब कर्मचारियों को परीक्षा में बैठने की इजाजत दी गयी थी, जो आवश्यक योग्यता रखते हैं, यानी जो कम से कम ३ साल नौकरी कर चुके हैं और जो अंग्रेजी और हिन्दी लेकर, बी० ए० पास हैं या उसके समक्ष कोई दूसरी योग्यता रखते हैं।

(ग) इन वर्गों के कर्मचारियो को रेलवे बोर्ड के कार्यालय में हिन्दी सहायक के पद पर तरक्की देने मे कोई रोक नही है।

(घ) जी हा।

(ङ) २५ प्रतिशत सहायको की भर्ती रेलो से की जाती है और कम से कम २५ प्रतिशत जगह बोर्ड के कार्यालय मे काम करने वाले उपयुक्त क्लर्कों को तरक्की देकर भरी जाती हैं। तरक्की के ये दो अलग-अलग तरीके हैं, जिनके लिए अलग-अलग परीक्षाए होती हैं।

Locust Invasion

1149. Shri Harish Chandra Mathur: Will the Minister of **Food and Agriculture** be pleased to state whether any swarms of locusts have been sighted in India from West Asia?

The Minister of Food and Agriculture (Shri A. P. Jain): No swarms of locusts have been sighted in India from West Asia

Compensation for Land Acquired in Tripura

1150. Shri Dasaratha Deb Will the Minister of **Transport and Communications** be pleased to state

(a) the number of persons who have already been compensated so far for the land acquired by the Tripura Administration for the construction of Ambasa-Kamalpur Road (Tripura), and

(b) how many persons have not yet been paid such compensation?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) and (b) The awards of compensation involving 632 claimants have been finalised and payment has actually been made to 327 claimants. Out of the remaining 305 claimants, 9 have not accepted the award and the rest of the claimants have not turned up to receive payment

The awards of compensation involving further 337 persons are being finalised

Anaesthetic Specialist in Civil Hospital, Imphal

1151. Shri L. Achaw Singh: Will the Minister of **Health** be pleased to state:

(a) whether there is any specialist in anaesthetics in the Civil Hospital, Imphal,

(b) if not, whether Government are aware that due to lack of specialists in anaesthetics, major operations are carried out with great difficulty; and

(c) whether Government have taken any steps to train doctors for the purpose?

The Minister of Health (Shri Karmarkar): (a) There is no such specialist

(b) The Anaesthetist's job is generally carried out by the Resident Medical Officer who has considerable experience of the work No difficulties in carrying out major operations have been reported

(c) As more doctors become available it is proposed to send a doctor for specialised training in anaesthesia

Payment of Land Revenue in Manipur

1152. Shri L. Achaw Singh: Will the Minister of **Food and Agriculture** be pleased to state.,

(a) whether it is a fact that tribal people have to pay house tax for their houses and tax on agricultural land in Manipur,

(b) whether the tribal people of Mayangkhang in Manipur have been

asked by the Land Revenue Department of Manipur Administration to pay land revenue for their agricultural lands;

(c) whether any representation has been made to the Administration by the elders of the tribal village on the subject; and

(d) if so, what steps have been taken to redress their grievances?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Tribal people have to pay only house-tax for their homestead and for their privileges on tribal lands in the hill areas but in the valley outside the tribal areas they are liable to land revenue, municipal taxes and all other taxes to which all other citizens in Manipur are liable.

(b) Yes.

(c) Yes.

(d) As the residents of Mayangkhang have their cultivation in the valley area and are liable to pay land revenue at the rates applicable to the people residing in the valley they cannot be exempted from the payment of land revenue.

Privilege Passes

1153. Shri Assar: Will the Minister of **Railways** be pleased to state:

(a) whether there are any persons or categories of persons other than Members of Parliament or officials of the Railways who enjoy the privilege of a free pass; and

(b) if so, the total number of such persons and their categories?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes.

(b) 38 complimentary passes have been granted by the Railway Board, details of which are given in the statement, laid on the Table of Lok Sabha. [See Appendix IV, annexure No. 37.]

The following categories of employees who are not railway Officials have also been granted the privilege of free passes on a restricted scale as a condition of their service:—

(i) Staff employed in the Railway Employees' Co-operative Credit Societies, Co-operative Banks, Co-operative Stores, Consumer Societies, Railway Co-operative Centres; Railway Institute, Railway Library;

(ii) Officials of the Government Railway Police who entered Railway service prior to 1-4-1937 and have been continuously employed on railway duty without a break;

(iii) Staff working in the Railway Audit Branch of Indian Audit Department who entered that Branch prior to 1-1-1934; and

(iv) The employees of the former Hyderabad Railway Police who were in service on 20-11-52 and were enjoying the privilege of a free pass on the date of integration of the ex. N. S. Railway with the Central Railway.

The total number of such employees on all Railways is approximately 20,000.

Sugar

1154. Shri Tangamani: Will the Minister of **Food and Agriculture** be pleased to lay on the Table a statement showing the quantity of sugar released for internal consumption month-wise from January to July, 1957?

The Minister of Food and Agriculture (Shri A. P. Jain): The quantity of sugar released for internal consumption from January to July, 1957 was as under:

	(Lakh Tons)
January	1·84
February	1·71
March	1·82

April	0·06
May	3·35
June	0·06
July	3·63

Building Operations in Kotla Mubarakpur, Delhi

1155. Shrimati Sucheta Kripalani: Will the Minister of **Health** be pleased to state·

(a) when the building operations have since been stopped by Government in Kotla Mubarakpur a suburb of New Delhi;

(b) the progress of work done by the different controlling and planning authorities in respect to this locality since then;

(c) whether it is a fact that the Delhi Development (Provisional) Authority has scrapped the plan prepared by the Delhi Improvement Trust;

(d) if so, why;

(e) the total number of residential houses and shops etc. in existence in this locality before the building operations were stopped by Government; and

(f) the number of houses, etc. at present there?

The Minister of Health (Shri Karmarkar): (a) With the declaration of certain areas within the Union territory of Delhi as "Controlled Area" under Section 4 of the Delhi (Control of Building Operations) Act, 1955, on the 11th November, 1955, the Kotla Mubarakpur area was declared a Controlled Area. As there were no approved layout plans for this area, the Delhi Development (Provisional) Authority, for the present, are not allowing any new building construction.

(b) In order to prepare a proper redevelopment plan for this area, a physical survey is being undertaken along with a detailed socio-economic survey. As soon as these surveys are ready a proper layout plan will be prepared.

(c) and (d) This area was included in the Delhi Improvement Trust's New Delhi Southern Expansion Scheme but an examination of this plan from the town planning point of view showed that it was not suitable and as a result these surveys are being conducted.

(e)	Houses	Shops
Approximate number of buildings constructed before December, 1955	1910	325

(f)	Houses.	Shops.
Approximate number of buildings at present	1990	325

Bridge over Godavari

1156. Shri B. S. Murthy: Will the Minister of **Transport and Communications** be pleased to state·

(a) the progress made in the construction of the road bridge over the Gautami Branch of the Godavari river at Alamuru in East Godavari District (Andhra Pradesh) till the 31st July, 1957, and

(b) when it will be completed?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) and (b). The foundation work is in progress and the bridge is expected to be completed by 1960

Improvement of Transport Facilities in Tripura

1157. Shri Bangshi Thakur: Will the Minister of **Railways** be pleased to state·

(a) whether it is a fact that a Joint Conference of the representatives of the Governments of India and Pakistan was held at Dacca in connection with improvement of transport facilities to the people of Tripura;

(b) if so, the decisions taken thereon; and

(c) what steps have been taken for immediate implementation of the same?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes, Sir.

(b) The following main decisions were taken at the Conference:—

(i) A joint traffic and engineering survey should be conducted by the representatives of the two Governments with a view to providing Railway sidings to Tripura from convenient points in Pakistan. Each Government would lay, at its own cost, the portion of sidings falling within its territory.

(ii) After these sidings have been provided the traffic from rest of India to Tripura and *vice versa*, would more as 'cross' traffic over E. B. Railway (Pakistan) and that Railway's share of freight would be collected by Indian Railways and paid to Eastern Bengal Railway (Pakistan) through irrevocable revolving credit.

(c) Ratification of the minutes is still awaited from the Government of Pakistan.

Influenza in Manipur

1158. Shri L. Achaw Singh: Will the Minister of **Health** be pleased to state:

(a) whether Influenza was declared an epidemic in Manipur during July-August 1957;

(b) the number of persons affected by the epidemic disease; and

(c) what were the preventive and curative measures adopted by the Government?

The Minister of Health (Shri Karmarkar): (a) Yes.

(b) 4093 persons were affected by influenza from the 13th July, 1957 to the 17th August, 1957.

(c) The Government of India Notification No. F. 16-2/57- IH, dated the 16th May, 1957 declaring influenza to be an infectious disease was republished in Manipur Gazette on the 17th July, 1957. The Leaflet "Influenza—how to prevent it" issued by the Government of India was circulated in Manipur among the public and propaganda was made in Urban and Rural areas from health vans with loud speakers attached to them.

Arrangements were also made for medical examination of passengers coming into Manipur either by air or by road and surveillance tickets were issued by Medical Officers to them. Medicines used as curative measure were influenza mixture or tablets, Sulpha group of drug, penicillin and other Antibiotics.

Compensation for Kamalpur Landing Ground

1159. Shri Bangshi Thakur: Will the Minister of **Transport and Communications** be pleased to state whether it is a fact that for portion of land on which the Kamalpur Landing Ground is situated, compensation has not been paid to the owners of the land from whom it was acquired?

The Minister of State in the Ministry of Transport and Communications. (Shri Humayun Kabir): No, Sir. The Additional District Magistrate and Collector, Tripura, has informed the Civil Aviation Department that full payment of compensation for all lands acquired for the construction of Kamalpur Landing Ground has already been made to their respective owners.

T. B. Patients from Scheduled Tribes

1160. Shri Subodh Hasda: Will the Minister of **Health** be pleased to state:

(a) whether there is any provision from the Government of India for free treatment of T.B. patients from the Scheduled Tribes in all States; and

(b) if so, the amount spent in 1956-57?

The Minister of Health (Shri Karmarkar): (a) No specific provision has been made by the Government of India for the free treatment of T.B. patients from the Scheduled Tribes in all States but *ad hoc* grants have been given

(b) In 1956-57, the following grants-in-aid were sanctioned by the Government of India:—

Government of West Bengal: Rs. 9,755

Government of Assam: Rs 87,532

Government of Ajmer Rs 3,000

Headquarters of Engineer-in-Chief, Eastern Railway

1161. Shri T. K. Chaudhuri: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Railway Board had asked the Engineer-in-Chief of construction in the Eastern Railway to make Ranchi his headquarters in order to co-ordinate the construction of various projected lines in connection with the Rourkela Steel Works; and

(b) what steps have been taken up-to-date in order to implement this decision of the Railway Board?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) No

(b) Does not arise

Road Bridge on National Highway No. 31

1162. Shri Barman: Will the Minister of **Transport and Communications** be pleased to state:

(a) the year when National Highway No 31 was breached within Jalpaiguri District by river Torsa;

(b) whether attempts have been made since then to construct a bridge over the river; and

(c) whether arrangements have been made for motor vehicle transport during monsoons between eastern territories and the rest of India?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) Two bridges across the Sil Torsa & Char Torsa were washed away in 1952 & 1954 respectively. These bridges were constructed during the last war by the army authorities and were of semi-permanent nature.

(b) The question of constructing permanent bridges over the Siltorsa and Chartorsa rivers is under consideration and certain investigations are being made in respect of the training works required for this extremely difficult river.

(c) During monsoon motor vehicle transport between eastern territories and the rest of India is possible by ferries along this route or an alternative route via Matabhanga according to the extent of flood in the Torsa river

Commemoration Stamp

1163. Shri R. Narayanasamy: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether Government are going to print 13 (thirteen) Naya Paisa postage stamps bearing the picture of the late Subramanya Bharati, National poet of Tamilnad; and

(b) whether many requests have been received in this connection?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) No, Sir

(b) Some requests have been received in recent years for bringing out stamps with the portraits of saints and poets

Trains on Nidadavolu-Narsapur Line

1164. Shri B. S. Murthy: Will the Minister of **Railways** be pleased to state:

(a) whether arrangements were finalised to speed up the running of

*The grant-in-aid to the Government of Assam was for the treatment of T.B and Cancer patients

trains on Nidadavolu-Narsapur line (Andhra); and

(b) if so, the date from which this scheme will come into force?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) and (b) The maximum permissble speed of trains on this section is 35 miles per hour, but this is restricted to 30 miles per hour over a continuous stretch of about 24 miles up to Narsapur, due to heavy wear of track rails. The work of relaying track which is already included, in parts, in the Works Programme of the current and the next two years, is expected to be completed by 1960-61, when the maximum speed of 35 miles per hour will be restored throughout the section

Retirement Age of P. & T. Employees

1165. Shri B. S. Murthy: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether orders have been issued raising the age limit for retirement for certain categories of employees in Post and Telegraph Department, and

(b) if so, the categories so specified and the reasons thereof?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) No, Sir

(b) Does not arise

Building for Kapadwanj Post Office

1166. Shri Fateshinh Ghodasar: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it is a fact that though necessary funds have already been sanctioned for constructing a new building for a Post Office at Kapadwanj in Kaira District (Bombay State), the building has not been constructed up till now; and

(b) if so, the reasons why the building construction has been delayed?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) Funds were provided for acquisition of the site and provision has also been made for starting construction this year. At present preliminary estimates are under scrutiny for issue of the administrative sanction.

(b) Different stages of a construction project take time and in this case there has been no avoidable delay

रेलवे स्कूल और कालेज

११६७. **श्री मोहन स्वरूप :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) रेलवे विभाग के नियंत्रण के अधीन इस समय कितने कालेज और स्कूल हैं;

(ख) विक्टोरिया हायर-सैकेंडरी स्कूल, बरेली और रेलवे हाई स्कूल, आगरा में कितने छात्र हैं; और

(ग) उक्त दोनो हाई स्कूलो से इस वर्ष कुल कितने छात्र हाई स्कूल परीक्षा मे बैठे और उनमे से कितने पास हुए ?

रेलवे उप मंत्री (श्री शाहनवाज खां) : (क) रेलवे के अधीन २ इंटरमीडिएट कालेज और १५२ स्कूल हैं ।

(ख) बरेली के विक्टोरिया स्कूल का नाम अब रेलवे हायर सेकेन्डरी स्कूल है और इसमें २५६ विद्यार्थी हैं ।

आगरा में रेलवे का कोई स्कूल नहीं है ।

(ग) रेलवे हायर सेकेंडरी स्कूल, बरेली मे हाई स्कूल परीक्षा में ८ विद्यार्थी बैठे थे, जिनमे से ६ पास हुए ।

Postal Employees of Kulu

1168. Shri Daljit Singh: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether hill allowance was given to the Postal employees of Kulu

of Kangra district in Punjab equal to the hill allowance of Simla Postal employees prior to the year 1955;

(b) whether it has been reduced since 1955; and

(c) if so, the reasons of its reduction?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) No.

(b) No.

(c) The question does not arise.

Passenger Amenities at Nadiad

1169. Shri Fatehsinh Ghodasar: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that there is a total absence of passenger Sheds, sanitary conveniences, benches and waiting rooms on the narrow gauge station at Nadiad on the Western Railway; and

(b) if so, when these amenities will be provided?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) No, Sir. The following amenities already exist on the Nadiad Narrow Gauge station:-

(1) One waiting shed 50' x 25'

(2) One water tap on the platform;

(3) Two benches in the waiting shed and 3 on the Narrow Gauge platform

(b) In addition, the following facilities have been programmed during 1957-58:—

(1) One additional booking office for Narrow Gauge;

(2) One covered passage from Broad Gauge to Narrow Gauge.

(3) Two drinking water fountains;

(4) Four urinals flush type on Narrow Gauge platform.

A covered shed on passenger platform is programmed for 1958-59.

Disciplinary Cases on Railways

1170. Shri S. M. Banerjee: Will the Minister **of Railways** be pleased to state whether there is a proposal to have one more Tribunal to review the cases of those Railway employees who have been dismissed on disciplinary grounds?

The Deputy Minister of Railways (Shri Shahnawaz Khan): No, Sir.

Development of Communications

1171. Shri Morarka: Will the Minister of **Transport and Communications** be pleased to state:

(a) how much of the total amount allotted under the Second Five Year Plan for Communications is for improving the existing means of communications and how much for developing new ones;

(b) how much of the amount allotted had already been spent in improving the existing lines of communication; and

(c) what are the plans for the current year?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) The improvement of the existing Post, Telegraph and Telephone services is interlinked with the expansion of these services and cannot be isolated from the developmental activities. The total provision in the Second Plan for the P. & T Department is Rs 63 crores

(b) Rs. 9 52 crores during 1956-57.

(c) The average target per year is:—

(i) Additional Post Offices 4,000

(ii) Additional Telegraph Offices 280

(iii) Additional Long distance Public Call Offices 240

(iv) Additional Telephones 36,000.

The schemes taken up this year are expected to meet those targets. To the extent equipments and materials

become available, additional trunk positions will be installed and long distance circuits built up to improve the service.

Post Office in Dandigam

1172. Shri Dora: Will the Minister of **Transport and Communications** be pleased to state:

(a), whether there has been a public demand for a Post Office in Dandigam Village in Salu Taluq in Srikakulam District (Andhra); and

(b) if so, what action is proposed to be taken in this regard?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a) and (b). Hitherto no demand has been received from public for opening a post office at Dandigam. However, the proposal is now under examination and the office will be opened, if found justified, during the Second Plan period.

Members of Railway Board

1173. Shri B. S. Murthy: Will the Minister of **Railways** be pleased to state:

(a) the tenure of the additional Members of Railway Board; and

(b) whether any further additions are contemplated?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) the tenure is upto 24-6-59 for the present.

(b) No.

Police Firing on Railwaymen at Kalka

1174. Shri M. Ellas: Will the Minister of **Railways** be pleased to state:

(a) the total amount spent toward legal expenses by the Railways in connection with the Judicial Inquiry into police firing on Railwaymen at Kalka during May, 1956; and

(b) the actual amount paid to the counsel engaged by the Railways?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) About Rs. 7,680.

(b) A fee of Rs. 4,800 was paid to the Solicitor General and Rs. 600 by way of expenses to Shri Sachin Choudhri.

Post Offices and Telephone Exchanges in Marathwada

1175. Shri Pangarkar: Will the Minister of **Transport and Communications** be pleased to state:

(a) the number of post offices and telephone exchanges opened during the First Five Year Plan in the five districts of Marathwada (Bombay); and

(b) the number of telephone exchanges proposed to be opened during the Second Five Year Plan in the above-mentioned districts?

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): (a)

Name of district of Marathwada	No. of post offices opened	No of telephone exchanges opened
1. Aurangabad	94	..
2. Bhir	65	..
3. Nanded	46	1
4. Osmanabad	141	1
5. Parbhani	70	3

(b)

Name of district	Exchanges to be opened
1. Bhir	1
2. Osmanabad	1

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1957-58.

The Minister of Finance (Shri T. T. Krishnamachari): I beg to present a statement showing Demands for Supplementary Grants in respect of the Budget (General) for 1957-58.

Shri T. B. Vittal Rao (Khammam): The Demands for Grants were passed only the other day.

Mr. Speaker: The hon. Member will have an opportunity.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

STOPPAGE OF TRAIN AT NADIAD BY MOB

Shrimati Ila Palchoudhuri (Nabadwip): Under rule 197, I beg to call the attention of the Minister of Railways to the following matter of urgent public importance and I request that he may make a statement thereon:—

> "Stoppage of the Saurashtra Express at Nadiad by a mob on the 8th August, 1957".

The Minister of Railways (Shri Shahnawaz Khan): The Janata Parishad called upon the people of Gujrat to observe 8th August, 1957 as "Shahid Day" and to enforce traffic curfew on that day. On that date, train No. 307 Down Saurashtra Express (running from Bombay to Viramgam) was stopped at Nadiad station of the Western Railway by a local mob of demonstrators.

The train was due to arrive at Nadiad at 18 21 hours and depart at 18.25 hours. It was running a few minutes late. While approaching the Nadiad station, it was stopped, between the outer and home signals, by a mob which had collected near the cabin. The emergency chain was also pulled off and on. The train suffered a detention of 27 minutes at this point Finally, the vacuum apparatus was disconnected and the train proceeded further.

The following other trains were also similarly detained by the mob at Nadiad on that date:—

(i) 359 Down Baroda-Viramgam passenger train was stopped at Nadiad by pulling the emergency chain. The train suffered an extra detention of 1 hour 9 minutes.

(ii) 350 Up Ahmedabad-Bulsar Passenger was stopped at Nadiad near B Cabin by a mob standing on the track. This train was due to arrive and leave Nadiad at 12.27 and 12.35 hours, respectively. The train was held up at cabin from 12·47 to 13:02 hours. A few coaches were uncoupled. The train arrived at Nadiad station at 13.5 hours after the mob had been cleared and left at 13.10 hours.

(iii) 347 Down Bombay-Viramgam passenger was due to arrive at 12.49 hours and leave at 12.57 hours While approaching the station, the train was held up between the outer and home signals by a mob standing on the track. It suffered a detention of 45 minutes near the cabin The train left Nadiad after the alarm chain apparatus was disconnected

(iv) 360 Up Viramgam-Baroda Passenger due to arrive at 18.40 hours and to leave at 18.47 hours actually arrived Nadiad at 19 38 hours and left at 20.15 hours. The train suffered an extra detention of 30 minutes. A few coaches were uncoupled and after the mob was persuaded the train was finally allowed to proceed further.

There was no damage to railway property and as far as has been ascertained there was also no incident

involving violence by the mob towards the staff or the passengers.

In this connection two persons have been arrested.

STATEMENT *RE AIR* ACCIDENT AT DUM DUM AIRPORT

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir): I deeply regret to state that on the 1st September, 1957, at 5.30 hours I.S.T. a British registered "Hermes" aircraft GAKFP belonging to Airworks Ltd. while landing at Dum Dum airport hit an Indian Airlines Corporation freighter Dakota VT-AUA which had lined up for take-off on the left runway. As a result of the impact Capt. B. Chowdhury, Co-Pilot S. Chowdhury and Radio Officer N. C. Chowdhury, of the Indian Airlines Corporation Dakota were killed while Steward T. Singh was seriously injured and succumbed to his injuries the following day. The Dakota was destroyed in the impact. There was, however, no fire. After the collision the Hermes aircraft touched down on the runway with a broken port under-carriage and damaged port engines. It finally came to rest on the international apron. Information available so far indicates that except for minor injuries to two passengers while disembarking no one else was hurt on the Hermes aircraft.

The Hermes aircraft took off from Palam for Calcutta at 0034 hours I.S.T. on the 1st September, 1957. It had 51 passengers including 12 children and 5 infants on board and 6 members of the crew, namely, Capt. Furber, Flight Officer Vines, Radio Officer Hunnable, Engineer Officer Riggostaf and two air hostesses. The flight continued normally until it contacted Dum Dum approach. The aircraft made an attempt to land by Instrument Landing System, but a missed approach was carried out. It subsequently attempted a landing under Radar control. Preliminary inquiries made by the Chief Inspector of Accidents, who has reached Dum Dum, indicate that the Pilot was asked by the Control Tower to land on the runway to the right. The Pilot was in visual contact of the aerodrome from three miles at a height of 600 ft. He, however, landed on the left runway on which the Indian Airlines Corporation Dakota was lined up for takeoff

It has been decided to constitute a Court of Enquiry under rule 75 of the Indian Aircraft Rules with Shri S. N. Banerjee, a retired Judge of the Calcutta High Court. The Ministry of Transport and Civil Aviation of the United Kingdom have been requested to send an accredited representative to be associated with the Court of Enquiry.

ELECTION TO COMMITTEE

COMMITTEE OF PARLIAMENT TO EXAMINE RECOMMENDATIONS OF OFFICIAL LANGUAGE COMMISSION

The Minister of Home Affairs (Pandit G. B. Pant): I beg to move:

> "That in pursuance of clause (4) of article 344 of the Constitution, the members of Lok Sabha do proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, and in such manner as the Speaker may direct, twenty members from among themselves to be members of the Committee to examine the recommendations of the Official Language Commission and to report to the President their opinion thereon in accordance with clause (5) of the said article."

I know I have placed this proposal before the House in the form of a motion. It really seeks to carry out a mandatory provision of the Constitution. The Constitution says that a committee consisting of 20 members of this House and 10 members of the

[Pandit G. B. Pant]

Upper House to be elected in accordance with the principle of single transferable vote shall be constituted for examining and reporting upon the recommendations of the Language Commission. So, in fact, I am only requesting the House to take the necessary steps to give effect to that provision in the Constitution.

I see that there are two amendments, one by Krishnaswamiji and the other by Anthonyji. I think he will not dislike my calling him Anthonyji. We treat him as an Indian national in the fullest sense of the term So far as the amendments go, I think they are technically inadmissible, because the Constitution itself lays down that the report will be submitted to the President and we cannot in any way infringe or go against the directions in the Constitution. But I myself would like to have the benefit of the opinion of this House before decisions are taken on the report. So, when it is received, it will be placed on the Table of the House and we should like it to be discussed by the House. I shall seek the permission of the President for that purpose, when the report becomes available. I have accepted the proposals of Krishnaswamiji and Anthonyji.

I myself had never wished to bypass the Parliament. After all, we are all subordinate to the Parliament and we would like to do whatever we can to have the co-operation and help of Parliament. Especially when matters of moment are concerned, it becomes all the more necessary to seek the guidance of Parliament. Of course, the ultimate responsibility for decisions will rest on the President, according to the Constitution. So, the discussion will have to be conducted in a manner which will be consistent with the discharge of that ultimate responsibility. With the permission of the President, I shall place the report before the House and it will be available for discussion

Mr. Speaker: The amendments need not be formally moved. Both of them are accepted. The hon. Minister gives an assurance for placing it on the Table and for discussion. He accepts both.

Shri Tangamani (Madurai): I think the hon. Minister is accepting amendment No. 2

Mr. Speaker: He accepts jointly both the amendments, one for placing the report on the Table and the other for discussion by the House.

Shri Tangamani: Will it be laid on the Table before presenting it to the President?

Pandit G. B. Pant: It will be presented to the President and placed here with the permission of the President. We cannot go against the Constitution. I will seek his permission.

Mr. Speaker: Before the President comes to a conclusion, he will have the benefit of the discussion of this House

Shri Yajnik (Ahmedabad): May I know how long this committee will take approximately to present the report?

Pandit G. B. Pant: Can anybody guess? I do not know how long the committee will take, who will be its members and what will be the rules to regulate their procedure. Of course, I shall submit to their wishes

Mr. Speaker: It is a committee of this House.

Shri Khadilkar (Ahmednagar): Would it not be better if the report of the Commission is discussed earlier and then the committee go into it? With the President's permission, if this House is allowed to discuss the report of the Commission and then the committee go into it, the committee will get the benefit of this discussion also in reaching some concrete conclusions.

Shri T. K. Chaudhuri (Berhampore): In support of what Mr. Khadilkar said, I may draw your

attention to a constitutional difficulty under sub-clauses (5) and (6) of article 344. Under sub-clause (5), it is the duty of the committee to examine the recommendations of the Commission and then they have to report to the President. The President has to act, under sub-clause (6); he may, after consideration of the report referred to in sub-clause (5), issue directions in accordance with the whole or any part of that report.

Mr. Speaker: How can the report of the Commission be discussed now? That is the difficulty. If that report cannot be discussed then, this report cannot be discussed now.

Shri T. K. Chaudhuri: There is nothing in the Constitution about the discussion of the Commission's report now by the House.

Mr. Speaker: There is no specific provision contemplated in the Constitution, but all the same, the powers of this House to scrutinise are there and they must be exercised. As the hon. Home Minister said, there is no intention to by-pass this House either. The Commission is only for the purpose of going round this country, gathering evidence and then place it before the President. As it is there is no provision for discussion at this stage or at the later stage, but the hon. Minister is quite frank. He does not want to avoid any discussion here. He is prepared to allow a discussion. I think it is proper that a committee of this House should look into this matter first. There are various things and if we enter into a discussion here, it may become endless. After all, it is our own committee, brought into existence by the principle of proportional representation, by a single transferable vote. Every section of the House will be represented there. It will be a miniature House. Let it discuss the report and make recommendations and then let us have a discussion. Otherwise, after the recommendations are made, we will have no opportunity. Once again at the later stage also, there is no provision.

As the hon. Home Minister said, both Dr. Krishnaswami and Mr. Anthony have rightly appreciated the situation that it would be in the interests of proper adjudication or decision to be taken by the President that, after the report is sent to us by our own committee, we have an opportunity. Otherwise, I feel it will be embarrassing to the members of our own committee, who are our own representatives. There might be conflicting opinions regarding a particular matter and what are they to decide in addition to the recommendations? Therefore, these amendments need not be accepted. The hon. Minister has given the assurance. I will put the motion to the House.

The question is.....

Shrimati Renu Chakravartty (Basirhat): Before you put the motion may I make a submission? Although the manner in which this Committee will be appointed will be on the basis of proportional representation, I would beg that all lauguage groups should be represented on it and that there should not be any, sort of, one large chunk of people coming from one group alone. That is one thing which should be safeguarded.

Mr. Speaker: Instead of each Group setting up what it considers to be the proper spokesmen, all the leaders of these Groups may meet and arrive at the names who will not only be representative of their Groups and interests but also representative of all the language groups. That can be done. I am sure from time to time that is what is being done.

Pandit G. B. Pant: I have no objection. I hope every Group will concentrate on one particular language or two, so that the maximum number of languages may be covered.

Shrimati Renu Chakravartty: I do not follow. Unless there is co-ordination how will it be done?

Shri Khadilkar: In this particular representation we are not divided according to the languages. The fourteen languages must be treated on par so far as the representation in the Committee is concerned, and here regional questions or other political alignments should not be brought in.

Mr. Speaker: I am sure the heads of Groups may meet the hon. Minister and arrive at a particular conclusion. I shall advise the Minister of Parliamentary Affairs to meet them and ascertain their views

Shri Rane (Buldana): I have already conveyed the desire of the Minister of Parliamentary Affairs to almost all the Leaders of Opposition Groups that we want to see that all the languages recognised under the Constitution are represented on the Committee

Shri A. C. Guha (Barasat): Why only Opposition Groups? In the Congress Group also the language elements should be represented.

Pandit G. B. Pant: In fact twenty Members are to be elected by this House and ten by the other House. So the Parties that are represented here, as well as there, may discuss among themselves as to whom they would like to represent from their own party in this Committee. And when their wishes are known we will see what can be done in order to ensure the representation of other Groups. So it must be remembered that both Houses have to be represented, and it will be convenient if the parties which are represented in this House as well as in the other House see which of their representatives will be available for the assistance of this Committee and which languages they will represent, so that when we know their wishes we may try to adjust our own representation in a proper way. But if they wish to have any sort of consultations, the Minister of Parliamentary Affairs will be at their disposal.

Shri S. V. Ramaswami (Salem): Is it understood that each one of the fourteen languages will have at least two representatives?

Pandit G. B. Pant: I may just say that there is no assurance about anything. An effort will be made to form this Committee in a fair way.

Shri Tangamani: Twenty is the limit laid by the Constitution.

Mr. Speaker: Let there not be any big discussion over this.

Shri P. K. Deo (Kalahandi): On a point of order Before this Report is sent to the Committee, will it not be better if the President is requested to give an opportunity to this House, so that the deliberations of the House might help the Committee. If after the report is submitted by the Committee, this House gets an opportunity, and suppose this House gives an opinion and passes or rejects the report of the Committee, then the President would be put in a very awkward position as to whether he should accept the recommendation of the sovereign body or ...

Dr. Krishnaswami (Chingleput): The Constitution gives him the power.

Mr. Speaker: Evidently the hon. Member was not present when Shri T K. Chaudhuri and Shri Khadilkar raised this point The President wants, instead of the opinion of the House as a whole, the opinion of the Committee Even when the report is submitted to the House we are not going to have resolutions passed as to what portions of the recommendations of the Committee ought to be accepted and what not. We are only generally going to express our opinions. It is for the Committee to make its recommendations. Now, at this stage to invite the President to give us once again an opportunity, will be too much. At this stage it is only exploratory. I said all this. I do not know where the hon. Member was. I am now putting the motion.

The question is:

"That in pursuance of clause (4) of article 344 of the Constitution, the members of Lok Sabha do proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, and in such manner as the Speaker may direct, twenty members from among themselves to be members of the Committee to examine the recommendations of the Official Language Commission and to report to the President their opinion thereon in accordance with clause (5) of the said article"

The motion was adopted.

Mr. Speaker: It is free for hon. Members to make nominations, and after the nominations they can agree or some of them may withdraw if they so choose

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EXPENDITURE TAX BILL—*contd.*

Mr. Speaker: The House will now proceed with the further consideration of the following motion moved by Shri T T Krishnamachari on the 31st August, 1957, namely:—

"That the Bill to provide for the levy of a tax on expenditure, as reported by the Select Committee, be taken into consideration."

Out of the four hours allotted, two hours have been availed of and two hours now remain What time will the Finance Minister require for the reply?

The Minister of Finance (Shri T. T. Krishnamachari): Twenty minutes

Mr. Speaker: Now it is 12-30

Shri T. T. Krishnamachari: There are only two hours more for the general discussion

Mr. Speaker: Then I shall call puon him at about 2-10 p.m.

Shri M. C. Jain (Kaithal) May we know the speakers who are to be called?

Mr. Speaker : I have not made up my mind. Hon. Members may get up in their seats when they want to speak

पंडित ठाकुर दास भार्गव (हिसार) : जनाब स्पीकर साहब, मैं अदब से अर्ज करना चाहता हूं कि जनाबे वाला शिड्यूल का मुलाहिजा फरमायें और साथ ही क्लाज ४(१), क्लाज ६(एफ) और क्लाज ६(जी) का भी मुलाहिजा फरमायें, तो रौशन होगा कि इस बिल में एक इन्डिविजुअल और कलेक्शन आफ इंडिविजुअल्ज को एक ही बेसिस पर रखा गया है । चुनाचे ३६ ००० रुपए की नेट आमदनी जिन की होगी, उन पर यह टैक्स लगेगा । इस में कोई तमीज नहीं है कि वह आमदनी एक की होगी या दस की होगी जो कि फैमिली को कास्टीट्यूट करते हैं ।

क्लाज ४(१) में ५,००० की रकम दर्ज है, और क्लाज ६(एफ) में ५,००० की और क्लाज ६(जी) में ८,००० की रकम दर्ज है, जो कि मेडिकल ट्रीटमेंट और एजूकेशन के लिए है । उन में कोई तमीज नहीं की गई है । न मालूम आनरेबल फाइनेंस मिनिस्टर साहब ने यह तमीज क्यों नहीं रखा रखी । जहां तक कानडोर साहब का ताल्लुक है, जो कि इस बिल के प्यूटेटिव फादर हैं, उन का कहना है कि

"Unlike the income-tax the rates of taxation in the case of expenditure-tax ought to vary with the scale of expenditure per head rather than the total expenditure of the whole family unit This means the adoption of the so-called quotient system, which is already applied in France for income-tax purposes according to which the income (or expenditure) of all members of the family is first aggregated and then divided into a number of parts, depending on the number of persons in each family, and the tax is charged separately on each part"

[पंडित ठाकुर दास भार्गव]

इस के मायने ये हैं कि कालडर साहब की राय में एक इंडिविजुवल और एक फ़ैमिली के साथ, जिस में बहुत से इंडिविजुअल्ज़ शामिल होते हैं, अलाहिदा अलाहिदा सलूक किया जाना चाहिए था। कालडोर साहब की ओपीनियन को जब मैं देखता हूं, तो मेरी समझ में नहीं आता कि किस उसूल की बिना पर आनरेबल फ़ाइनेंस मिनिस्टर साहब ने इस तमीज़ को वाजिब नही रखा। मुझे ऐसा मालूम पड़ता है कि जहां आनरेबल मिनिस्टर साहब को सूट करता है वहां वे कालडोर साहब को भी जवाब दे देते हैं और उन्होंने जो कुछ लिखा है उस पर अमल नहीं करते।

कालडोर साहब को छोड़ कर हमारे आनरेबल मिनिस्टर साहब कौटिल्य की शरण में आए हैं। मुझे खुशी है कि उन्होंने ऐसा करना मुनासिब समझा। उन्होंने यह कहा है कि वह कभी किसी को कोट करना नही जानते और न करते हैं। उन्होंने इस केस में कौटिल्य के अर्थ शास्त्र को कोट किया है। इसको उन्होंने अपने मतलब की खातिर ही कोट करना उचित समझा है। मैं समझता हूं कि कौटिल्य के अर्थ शास्त्र को वह मुझ से ज्यादा अच्छी तरह से जानते हैं। दरअसल हमारे शास्त्रों में तथा हमारे बुजुर्गों में क्या उसकी वुक्कत है और किस तरह का वह शास्त्र समझा जाता है, मैं इस बारे में एक बड़े भारी बुजुर्ग की, जोकि कादम्बरी के आथर हैं, राय पढ़कर आपको सुनाना चाहता हूं और बतलाना चाहता हूं कि कौटिल्य के अर्थशास्त्र की जिसकी कि हमारे आनरेबल मिनिस्टर साहब ने शरण ली है, आपके एक्सपेंडिचर टैक्स के बारे में क्या राय है। वह फरमाते हैं :—

"Likewise what Bana, the author of the Kadambari, says, condemning the science of Kautilya, seems to strengthen the authenticity of the work and the identification of Kautilya as the author of it. This is what he says:

"Is there anything that is righteous for those whom the science of Kautilya, merciless in its precepts, rich in cruelty, is an authority; whose teachers are priests habitually hard-hearted with practice of witchcraft; to whom ministers, always inclined to deceive others, are councillors; whose desire is always for the goddess of wealth that has been cast away by thousands of kings; who are devoted to the application of destructive science; and to whom brothers, affectionate with natural cordial love, are fit victims to be murdered?"

Shri T. T. Krishnamachari: The hon. Member must also tell the House that Kautilya certainly exaggerates human foibles.

पंडित ठाकुर दास भार्गव : मैं तो अर्ज़ करना चाहता हूं कि आनरेबल मिनिस्टर साहब ने इस वजह से इसको कोट किया है कि यह उनकी तबीयत के साथ मेल खाता है। उनको किसी शास्त्र को कोट करने की क्या जरूरत है। हमारे मिनिस्टर साहब को ही कोई और कोट करे तो बेहतर है। कौटल्य के नाम पर आज crooked policy को कुटिल नीति के नाम से याद किया जाता है।

लेकिन मैं यह बतलाना चाहता हूं कि वह चीज़ क्या है जिसको उन्होंने कोट किया है। मैंने तो समझा था कि शायद इस कौटिल्य शास्त्र में किसी जगह दर्ज होगा कि किसी स्टेट के मिनिस्टर फ़ाइनेंस मिनिस्टर होने की हैसियत से एक्सपेंडिचर टैक्स लगा कर एक्सपेंडिचर को कंट्रोल कर सकते हैं या एक्सपेंडिचर पर टैक्स लगा सकते हैं। मैंने उसको पूरा पढ़ा है और सारी किताब को पढ़ा और इस गर्ज़ से पढ़ा कि मुझे कहीं पर कुछ मिले जोकि उनके हक़ में जाता हो। उन्होंने सफ़ा १५८–१५९ से कोट किया है। मैं आपको बतलाना चाहता हूं कि यह चीज़ भी उनके बिल्कुल खिलाफ जाती है। अगर

इस पर मैं रिलाई करता तो ठीक था । जो इसमें लिखा है वह यह लिखा है कि कोलैक्टर को क्या करना चाहिए । उसको यह करना चाहिए कि वह जाकर हर एक घर को देखे कि इसमें कितने आदमी हैं, कितने नौजवान हैं, कितने बूढे है, उनकी क्या इनकम है, उनका क्या खर्च है, कितने इस घर मे मवेशी हैं और इन सब चीजों को देखने के बाद फिर वह यह देखेगा कि किस तरह की कार्रवाई की जानी चाहिए और किस तरह से टैक्स लगाया जाना चाहिए । यहा पर हमारे आनरेबल मिनिस्टर साहब क्या कर रहे हैं ? यहां पर वह यह कर रहे हैं कि ५,००० रुपया मैडिकल रिलीफ के वास्ते मुकर्रर करते हैं और यह रकम एक इंडिविजुअल के लिए है और यही एक हिन्दू अनडिवाइडिड फैमिली के लिए है । जब वह टैक्स लगाते हैं तो इस बेसिस पर लगाते है कि दस की आमदनी भी यकसा है और एक की आमदनी भी यकसां है । किस गर्ज से आनरेबल मिनिस्टर साहब ने कोट किया, यह मेरी समझ में नही आया है । इसमें कही नही लिखा है कि एक्सपेडिचर टैक्स लग सकता है । अगर उन्होंने कोट किया है तो इसमें कोई खराबी की बात नही है । आनरेबल मिनिस्टर साहब को चाहिए था कि वह हिन्दू अनडिवाइडिड फैमिली के साथ इन्साफ करते जोकि उन्होने नही किया है ।

इस टैक्स की रू से जितनी खराबियां होंगी और जो जो तकलीफात का सामना करना होगा, उनमें से चन्द एक को मै मिसाल के तौर पर आनरेबल मिनिस्टर साहब के सामने रखना चाहता हूं और उनके बारे में उनसे क्वैश्चन के तौर पर पूछना चाहता हूं ।

क्या कोई शख्स जिस पर आप इस टैक्स को आयद करेंगे अपने विजिनेस के बारे में या लिट्रेचर पर या संस्कृति पर या पोलिटिक्स पर लिखी गई कोई किताब खरीद सकता है और क्या उस खरीदी गई किताब पर टैक्स नहीं लगेगा ?

दूसरा सवाल मेरा यह है कि क्या कोई शख्स लाइब्रेरी बना सकता है, यूनिवर्स्टी को दान दे सकता है या कोई चेयर कायम कर सकता है उस यूनिवर्स्टी में किसी चीज की । अगर वह इन चीजों पर रुपया खर्च करेगा तो इस बिल की जो एक खास शर्त है उसको मद्देनजर रखते हुए ही करेगा । यह बिल किसी किस्म की फिजूलखर्ची को रोकने के लिए नही है और यह कहने के लिए नही है कि तुम फिजूल खर्ची मत करो । इसका मुद्दा तो यह है कि अगर तुम ५०,००० रुपया खर्च करते हो तो करते जाओ और अगर इससे भी ज्यादा करना चाहते हो तो करते जाओ लेकिन मुझे रिश्वत देते जाओ, जितना खर्च करो उतना ही खजाने मे डालो । यह तरीका फिजूल खर्चे को रोकने का नही है । यह तो लोगों का दिवाला निकालने वाली चीज है । इसका मकसद तो बस यही है कि हमें हिस्सा दे दो और फिर खूब खर्च करो । मै चाहता हूं कि आप कानून बना दें कि शादियो पर इससे ज्यादा खर्च नही होगा, जेवरात पर इससे ज्यादा खर्च नही होगा । लेकिन इस तरह के कानून को बना कर, मै मानता हूं, उसको चलाना बडा मुश्किल है । इस बिल के पीछे किस चीज की सैंकशन है । यहा पर इस चीज की सैंकशन है कि खर्च कर लो और मेरे खजाने में जितना आना चाहिए, उतना डाल दो । यह तो खर्च को रोकने का अच्छा तर्क का नही है ।

अब मेरा सवाल यह है कि एक शख्स है । उसका कोई बच्चा नही है । भतीजा मौजद है, भांजा मौजूद है । उनकी शादियों पर, उनके भात पर वह शख्स ५,००० से ज्यादा दान नही दे सकता और दूसरी तकरीबों पर ५,००० से ज्यादा खर्च नही कर सकता ।

12·36 hrs.

[SHRI C. R. PATTABHI RAMAN *in the Chair*]

मैं पूछना चाहता हूं कि क्या यह सम्भव हो सकता है । मैं आपके सामने मारवाड़ियों का

[पंडित ठाकुर दास भार्गव]

जिक्र कर चुका हूं । मारवाड़ियों से हमारे ला मिनिस्टर साहब बड़ी अच्छी तरह से वाकिफ़ हैं । उनके यहां ब्याह पर, शादी पर, भात पर तथा दूसरे उत्सवों पर बेशुमार रुपया खर्च कर दिया जाता है । फर्ज कीजिये कि किसी के पास ५० लाख रुपया है और उसके भतीजा है लड़का नहीं है । वह उसकी शादी पर ५,००० से ज्यादा नहीं दे सकता है, भात पर उससे ज्यादा नहीं खर्च कर सकता है । दो शादियां हो गईं और दो भात हो गए तो ढाई ढाई हजार रुपया ही वह खर्च कर सकेगा । इस तरह से उसको मजबूर करना कि वह इससे ज्यादा खर्च न करे, एक मजाक होगा । जो जेवर लोगों के पास मौजूद हैं, कानून की रू से, एक हुक्म जारी कर देने से वे खत्म नहीं होंगे । ये सब की सब चीजें कायम रहेंगी । लोग बेईमानी करेंगे और खर्च कुछ करेंगे और हिसाब दूसरा ही दिखलायेंगे । इस तरह जो तीजा आप निकालना चाहते हैं उसे कभी नहीं निकाल सकेंगे । अब एक शख्स है जिसकी शादी नहीं हुई है और वह सैर के लिए बाहर चला जाता है या काश्मीर चला जाता है या विलायत चला जाता है, वहां पर उसका खर्च होगा या नहीं । अब सरकार उसे कहती है कि सरकार को आधा रुपया दे दो और सारी दुनिया की सैर कर लो । कांस्टीट्यूशन १९(एफ) की क्या गर्ज अगर वह अपनी मर्जी के मुताबिक खर्च नहीं कर सकता है । इनकम टैक्स उससे आप ले लेते हैं और सब चीजें ले लेते हैं और इस सब के बाद भी यह एक टैक्स बाकी रह जाता है जो कि उसको आप देने के लिए मजबूर करते हैं । आमदनी तथा खर्च उसका प्राइवेट है और उस के अन्दर आप रेजिमेंटेशन करते हैं और कहते हैं कि इतना करो और इतना न करो, यह ब्यूरोक्रेसी है और हद से बाहर आप जाते हैं । यह बहुत ही नामुनासिब चीज है । एक आदमी अपनी दौलत का अपने आप अच्छा इंतिजाम कर सकता है लेकिन आप समझते हैं कि आप उससे अच्छा इंतिजाम करा सकते हैं । यह कह कर कि शादी पर इतना खर्च करो, भात पर इतना खर्च करो, इलाज पर इतना करो, डावरी पर इतना करो, आप आदमी की डिगनिटी को खत्म कर देते हैं जिसके लिये कांस्टीट्यूशन में लिखा है कि डिगनिटी आफ दी इंडिविजुअल को कायम रखना है । इस तरह की रेजिमेंटेशन आज तक न दुनिया में हुई है और न इस तरह की रेजिमेंटेशन आप कर सकते हैं । यह बिल फेल हो जायेगा, इससे न तो आपको कोई खास आमदनी होगा और लोगों में जो डिस्सैटिसफैकशन होगा उसका तो कोई ठिकाना ही नहीं है । हिन्दुस्तान में जो रिवाज हैं उनको खत्म करना बड़ा मुश्किल है और वे रिवाज बाकी मुल्कों से बिल्कुल भिन्न हैं जैसे कि बालडोर के मुल्क में हैं या जो हमारे आनरेबल मिनिस्टर साहब के दिमाग में हैं । डिपेंडेन्ट की तारीफ में मियां, बीवी तथा बच्चों को ही रखा गया है । न उनमें मां शामिल है, न बाप है, न भाई है न भतीजा है, न चाचा है और न ही विडोड डाटर है, इन सब के सब को खत्म कर दिया गया है । अगर आज मेरे मकान पर मेरा बड़ा लड़का रहता है तो अगर मैं टैक्स की रू से देखूं और अगर वह चार महीने रह जाता है तो उसको नोटिस में दे दूंगा कि इतना खर्चा मुझ को दे दो । किसी का बाप अपने बेटे के पास रहता है और अगर वह वहां दो चार महीने रह जाये और बाप भी १८ साल से बड़ा हो और बेटा भी १८ साल से बड़ा हो तो उस सूरत में यह होगा कि बेटा अपने मां बाप को बिल दे देगा और कह देगा कि मुझ पर इतना टैक्स लगेगा और अगर टैक्स देना है तो रहो नहीं तो जाओ । इस तरह से अगर कोई शख्स बीमार हो जाये तो वह अपने इलाज

पर पांच हजार से ज्यादा खर्च नहीं कर सकता है और अगर कहीं वह दो तीन बरस बीमारी की हालत में चलता रहे तो यह होगा कि सरकार उसे कहेगी कि अगर तुम चार रुपये की दवा खरीदते हो तो चार रुपये टैक्स के भी दे दो। और यह उसी सूरत में होगा जब वह ५०,००० से ज्यादा खर्च करता है और वह अमीर हो। इसका मतलब यह हुआ कि न तो वह खुद का इलाज करवा सकता है, न बच्चों का और न ही मां बाप का। वह यह तभी कर सकता है जब टैक्स अदा कर दे। इस तरह का कानून जो हमारी ट्रेडिशंस के खिलाफ है, हमारे इंस्टिट्यूशंस के खिलाफ है, यहां किस गर्ज से लाया गया है, यह मेरी समझ में नहीं आया।

अब मैं पूछना चाहता हूं कि एक आदमी खर्च का किस तरह से हिसाब रखेगा और क्या हर चीज के वह वाउचर रखेगा? अगर कहीं वह जाये और किसी होटल में ठहरे, वहां पर जो खर्च करे, किसी सवारी से सफर करे तो क्या वह हर एक चीज की रसीद रखेगा? यह तो ऐसा ही होगा जैसे इलैक्शन एक्सपेंसिस होते हैं। मेरा ख्याल है कि रूल्स बनेंगे। रूल्स के अन्दर यह जरूर होगा कि देखा जाये कि उस ने खर्च किया या नहीं क्योंकि यही तो इस का मकसद है कि वह ज्यादा खर्च न कर सके। अगर ऐसा हुआ तो हमारे फाइनेंस मिनिस्टर साहब क्या इन्तजाम करेंगे। हर शख्स को यह अख्त्यार है कि वह हीरा खरीदे, जुएलरी खरीदे, बुलियन खरीदे। उन को खरीद कर कहां रक्खा, इस को कैसे मालूम किया जायेगा। फिर एक साल में खरीदा या दो साल में खरीदा, इस की तहकीकात होगी। इसके बाद इस की तहकीकात होगी कि फिर वाकया कोई हीरा उतनी कीमत का है या नहीं जितनी कीमत का वह बतलाया गया है। फिर अगले साल उस हीरे या जुएलरी को निकाल कर किसी काम में लगा लिया, उसे बेच लिया, तो क्या सबूत कि पहले उसने कितने का खरीदा था, और अबकी कितने में बेचा। हर साल इस की जांच पड़ताल करनी होगी कि किसी आदमी ने हीरा, जुएलरी या बुलियन जो पिछले साल खरीदा था वह उसके पास है भी या नहीं। मुल्क में इसके लिये एक मैशीनरी बनानी होगी। मैं देखता हूं कि जब यह कानून दरअसल अमल में लाया जायगा तो पता चलेगा कि यह इस कदर नाकाबिल अमल है और लोगों को इतनी तकलीफ होगी कि हम कहेंगे कि अच्छा होता अगर यह टैक्स हम पर न लगता, भले ही और किसी तरह का टैक्स लगा दिया जाता। गरज यह कि इस में जितनी चीजें हैं वह इस किस्म की हैं जो कि हमारे ट्रेडिशन्स के खिलाफ ही नहीं हैं बल्कि फिल वाकया प्रैक्टिस में बहुत तकलीफदेह हैं और लोग उन से बाहर निकल जायेंगे।

इस के बाद मैं कहना चाहता हूं कि शायद हमारे फाइनेन्स मिनिस्टर साहब को मुझ से बेहतर मालूम होगा, कि ज्वाइंट हिन्दू फैमिली में कर्ता और कर्ता के भाइयों, दोनों की, प्रापर्टी एकसां होती है, उनमें कोई फर्क नहीं होता। कर्ता एक जायदाद का बाहिद हिस्सेदार न हो कर सिर्फ एक मैनेजर होता है, इस वास्ते कि उस रुपये को जिस तरह चाहे खर्च कर दे, लेकिन वह उस को अपने ऊपर नहीं खर्च कर सकता। उस में और उसके भाइयों में एकसां हिस्सेदारी होती है। लेकिन यहां क्या रक्खा गया है? कर्ता, उसकी बीवी और बच्चों के वास्ते ३०,००० रु० के खर्च की व्यवस्था है जब कि बाकी मेम्बरों के वास्ते, जो कि ज्वाइंट फैमिली में एकसां हक रखते हैं, सिर्फ ३,००० रु० मुकर्रर किये गये हैं। यह सारी की सारी चीजें ऐसी हैं, जिन से मालूम होता है कि किसी को ज्वाइंट हिन्दू फैमिली का एहसास ही नहीं है कि वह क्या होती है और क्या नहीं।

[पंडित ठाकुर दास भार्गव]

जनाब मुलाहजा फरमायेंगे कि इस के अन्दर जो एक सब से बड़ी बात कही जाती है वह यह है, ऐसा लोग कहते भी रहते हैं कि यह बिल सोशलिस्ट पैटर्न लाने के लिये बनाया गया है । पिछले दो तीन वर्षों में किसी भी लफ्ज की इतनी मिट्टी पलीत नहीं हुई जितनी इस सोशलिस्ट पैटर्न की हुई है । अगर हम चाहते हैं ज्यादा तनख्वाह बढ़ाना, ज्यादा वेजेज मागना तो सोशलिस्ट पैटर्न, अगर कहते हैं कि तनख्वाह कम कर दो तो सोशलिस्ट पैटर्न, अगर स्टेन्डर्ड हायर करना चाहते हैं तो कहते हैं कि सोशलिस्ट पैटर्न अगर लोअर करना चाहते हैं तो कहते हैं सोशलिस्ट पैटर्न, अगर वेल्थ टैक्स लगाना है तो सोशलिस्ट पैटर्न, अगर एक्सपेंडिचर टैक्स लगाना है तो सोशलिस्ट पैटर्न । आखिर क्या बला है यह सोशलिस्ट पैटर्न, इस हाउस के अन्दर एक शख्स मौजूद है जो इस मुल्क के अन्दर सोशलिज्म को लाने का जिम्मेदार है, जिस ने सोशलिस्ट पैटर्न की ईजाद की, वह इस के लिये क्या कहता है? पंडित जवाहरलाल नेहरू जो वास्तव में सोशलिस्ट पैटर्न के आथर हैं, वह कहते हैं कि सोशलिस्ट पैटर्न इस तरह की किसी चीज के अन्दर नहीं है, सोशलिस्ट पैटर्न इस में है कि तुम प्रोडक्शन बढ़ाओ । हिन्दुस्तान के लिये सोशलिस्ट पैटर्न इस में है कि हर एक आदमी को पूरा खाने को मिले, रहने को मकान मिले, लोग बेकार न रहें, सब खुश रहें । इस को वह सोशलिस्ट पैटर्न कहते हैं । वह इस तरह की चीजों को सोशलिस्ट पैटर्न नहीं कहते हैं जिस किस्म के हमारे यहां बिल्स आते हैं । यह क्या सोशलिस्ट पैटर्न है जिस के अन्दर इन्सान को ऐसा बना दिया जाये कि वह आटोमैटन बन जाये, जिस के अन्दर उसे आप अख्त्यार न दें किसी तरह का । उस को अपने काम पर भी अख्त्यार नहीं, अपनी जायदाद पर भी अख्त्यार नहीं ।

आज हिन्दुस्तान के अन्दर ऐसे लोग काफी हैं जो बाहर से आये, हमारे चाइनीज हिस्टोरियन्स के सर्टिफिकेट्स मौजूद हैं, जिन में कहा गया है कि कहां है हिन्दुस्तान में एक्स्ट्रवेगेंस ? हिन्दुस्तान में एक्स्ट्रवेगेंट लोग बहुत थोड़े हैं, और वह हैं अपने सोशल कस्टम्स की वजह से, जिन सोशल कस्टम्स को आप रिफार्म कर के ठीक कर सकते हैं । लेकिन इसकी तरफ आप तवज्जह नहीं करते । आप चाहते हैं कि इस तरह का एक रूल आफ थम्ब लगे, ऐसा कानून पास किया जाये जिस से लोग परेशानी में पड़ जायें । मुझे बहुत दुःख से कहना पड़ता है कि इस कानून से आप बदनाम होंगे । जिन ८,००० आदमियों पर आप यह अंकुश लगाते हैं वह सब के सब दो दो हिसाब रक्खेंगे । गलत हिसाब पेश करेंगे । जनाब वाला को याद होगा कि जब इस हाउस में इन्वेस्टिगेशन कमिशन की रिपोर्ट आई तो उस में इवेजन के तरीके दिये हुये थे । मैं तो सुन सुन कर हैरान हो गया कि लोग कहां कहां तक जाने के लिये तैयार हैं टैक्सेशन से बचने के लिये । मुझे डर है कि इस टैक्स को बचाने के वास्ते, जिस का बचाना निहायत सहल है, वह छिपा कर खर्च करेंगे । इस के लिये न जाने कितनी पर्जरी, फोर्जरी और दूसरी दूसरी चीजें, की जायेंगी क्योंकि आपने इस के अन्दर इतने लूपहोल्स छोड़ दिये हैं जिसका ठिकाना नहीं है । यह जो टैक्स है, इस के अन्दर आपने इतने एक्सेप्शन किये हैं कि इसको सटफ्यूज करने के तरीकों की इस में इन्तहा नहीं है । यह पैराडाइज है बेईमानों के वास्ते । और इसीलिये, जैसा मैंने पहले भी अर्ज किया था जो हमारी इनकम टैक्स की अथारिटीज हैं, इनकम टैक्स आफिसर्स हैं, एक एक लफ्ज में आपने उन को इतना डिस्क्रिशन दिया है, यह एक ऐसा शख्स है, जो कि जो चाहे वह कर दे । यह एक ऐसी चीज है जिस की वजह से मुझे डर है कि करप्शन के फ्लड गेट्स खुल जायेंगे पर्जरी के फ्लड गेट्स खुल जायेंगे, फोर्जरी के

फ्लड गेट्स खुल जायेंगे । यहां पर जितना करप्शन होता है, अगर उस की वैल्यू लगाने का कोई तरीका हमारे फाइनेंस मिनिस्टर साहब के पास हो तो पता चलेगा कि इससे उनको करोड़, दो करोड़ रुपया भले ही मिल जाये लेकिन, उसकी वैल्यू से करप्शन के जरिये नुक्सान कहीं ज्यादा है । आज हमारे फाइनेंस मिनिस्टर साहब जितना फायदा सोच रहे हैं, वह मैं समझता हूं कि पूरा नहीं होगा । मैं अपने फाइनेंस मिनिस्टर साहब की नियत पर शक नहीं करता, उनकी नियत बिल्कुल साफ है और मैं इसमें शामिल हूं कि हमारी फाइव इयर प्लैन के वास्ते रुपया आये, लेकिन जो तरीका है रुपये को लेने का, मुझे डर है कि भले ही इस तरीके से कुछ रुपया वसूल हो जाये, लेकिन वह ऐसा है जिससे देश के अन्दर सिवा खराबी के, सिवा डिस्सेटिस्फैक्शन के, सिवा मारल कैरेक्टर के लोअरिंग के, और कोई नतीजा नहीं होगा और हिन्दुस्तान के अन्दर वह बात नहीं हो सकेगी जो वह चाहते हैं । हम लाख मना करें, लोग शराब तो पियेंगे ही, हुकूमत के बन्द करने से वह बन्द नहीं होगी, हां उसकी कीमत वह हिसाब में नहीं दर्ज करेंगे । लोग शादी पर खर्च तो खूब करेंगे, लेकिन उसे किसी और तरह से दिखा देंगे । मैं अर्ज करूंगा कि जिस रास्ते में आप चल रहे हैं, उसमें अपनी मंजिले मकसूद पर कभी नहीं पहुंचेंगे । इससे न तो देश का ही भला होगा और न नया तजुर्बा जो आप हिन्दुस्तान में कर रहे हैं वही कामयाब होगा । लेकिन खैर, यह बाकी दुनिया के वास्ते दर्से हिदायत होगा ।

Mr. Chairman: Dr Krishnaswami I request Shri Morarka and Shri Supakar to be ready after that.

Dr. Krishnaswami (Chingleput): Mr. Chairman, I believe that this is a very important measure which, apart from being novel in character, contains many provisions of an arbitrary character which have to be looked into very carefully by Parliament.

I realise that the Select Committee has done quite a lot to mitigate some of the harsh injustices in this piece of legislation, but I do find that there are still other aspects which have to be looked into very carefully, and I do hope that this Parliament, being the high court of public opinion, will give very anxious thought to many of these provisions

I cannot rival my hon. friend, the Finance Minister, in his knowledge of human thought. He traversed a vast area the other day from Kautilya, who, to the best of my knowledge, did not contemplate a levy on expenditure, to Nicholas Kaldor, whose reservations and qualifications to a tax on expenditure are as important as the case for such a levy, and which we have chosen to ignore, whose book we do not wish to study, lest it should sully the originality of our thought and action—this, indeed, is a very long span. But what, in effect, does this Bill achieve? I should like hon. Members to ask themselves this question

This Bill, in the present instance, seeks to increase the savings of some 8,000 persons who in any event would be saving a good proportion of their incomes; nor can an expenditure tax, as pointed out even by outstanding authorities like Lord Keynes and Prof. Pigeau, be as broad-based as an income tax. One cannot think also of an expenditure tax even in the best of circumstances on anything below Rs 700 a month in our country, because it would be so difficult for the individual to keep accounts of his expenditure and then to pay the levy on such expenditure. In the very natural circumstances, an expenditure tax cannot be as broad-based as an income-tax. But, in the present circumstances, it has not been broad-based and it cannot, therefore, curtail expenditure of large masses of people who, as development gains momentum will spend more and more.

The great inflationary pressures in our economy are attributable to in-

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creases in demand for food and clothing and which we have not been able to completely solve and supplies of which we have not been able to augment. Until we are able to curtail the demand they will remain in spite of this tax on expenditure.

All that this tax will do, Mr Chairman, is to permit a great deal of harassment and, perhaps, bring in its wake a minimisation of expenditure on dependants which cannot in the particular stage of our special evolution be viewed with equanimity by anyone who has given thought to the way in which the social structure should be shaped. On this question of harassment, there has raged a long debate both in this House and elsewhere and although some of my friends seem to minimise the amount of harassment, I would beg of them to kindly listen to one or two considerations which I would like to advance so that they may yet reconsider their viewpoints.

The question of harassment has been put there because it is inevitable, as the Bill stands, that there would be a great deal of prying into private expenditure. Lord Kaynes before the Colvin Commission pointed out that so far as theoretical grounds were concerned, he favoured the expenditure tax as a basis of personal taxation but that a procedure of this type would be inquisitorial and certainly was as different from the income-tax assessment as chalk from cheese.

I would also like to point out that Lord Kaynes said that while it is wrong to pry into an individual's private expenditure, it is right for the State to know how the community as a whole is spending in order that it may plan a better distribution of resources. But, there is no possible justification, social or economic or otherwise to pry into an individual's expenditure.

We have, however, embarked on a procedure which is inquisitorial in character. But it is argued that the income-tax also permits harassment. I do not agree that it does. But, granting that it does, is it part of statesmanship to go on piling harassment upon harassment? Is there any justification if I have a tooth-ache I should also welcome readily an ailment of the stomach. I venture to think that when we are considering some of these problems we should certainly take into account this harassment aspect of the matter. (*Interruption.*).

The great achievement of Nicholas Kaldor is not his theoretical justification of the expenditure tax but the formula of assessment which he arrived at, a formula, which, in my opinion, minimises the prying into individual expenditure and which, from many points of view, takes the edge of the criticism which had been made that an expenditure tax would pry into many private expenditures. As it is this tax will pry into that and will affect the social structure on which the family is based.

But, apart from this, I have one or two serious objections to advance on the question of dependants. We have chosen to accept an artificial definition of dependants. This definition of would be valid in a highly individualistic and atomistic society. But it will not be valid at all here in India where the family ties have acted as a type of social security and have helped to promote the growth of social responsibilities...

During recent times, particularly during the past 2 or 3 decades, thanks to inflation and other circumstances, a great deal of polarisation has taken place. Of course, within recent times, as we have realised, the only check to polarisation has been the strong sense of family obligation which makes more prosperous members of the community link together

and also take care of the less fortunately situated members of the community so that they may not be left to the wolves or they may be taken care of.

Of course, there is another factor which has to be taken into account. Recently, the WHO had a document presented to it in which it was pointed out that the longevity in Asia, and particularly in India, was only 32 notwithstanding the striking developments that have been effected in the realm of public health in our country and in other places. And, I think, this is also a factor which has been taken very seriously into account by this Parliament.

We have also to realise that thanks to pioneers of social reform like my friend, Pandit Thakur Das Bhargava, whom I had the opportunity of meeting for the first time when he was a member of the committee which was then known as the Age of Consent Committee, some time in 1928 or 1929, thanks to the efforts of such pioneers in the cause of social reform, the age of marriage has been increased and as a result of that the number of dependants who are left and who have to depend on others has also increased quite considerably.

These are some of the factors which we have to take into account In our country, Pandit Jawaharlal Nehru in a moving passage in his autobiography has pointed out that it would be dangerous to encourage the trends towards polarisation, that these family ties should certainly be strengthened in so far as social Security is very weak The real trouble is, having accepted this definition, we have chosen to say that that is the type of thing which will really prevent evasion.

I cannot understand the argument about evasion. The onus of proof is after all on the assessee to show whether a particular person is a dependant or not. My friend, Pandit Thakur Das Bhargava referred to the quotient system. Some type of variation of that system might have to be worked out if we choose to have a flexible definition of dependants.

Besides, let us remember that even if there is evasion, the evasion can only be on a minor scale. Over-riding social considerations are very important and cannot be overlooked by legislators in this country. I think it is a factor that we have to take into account I believe that the exemption list to which Pandit Thakur Das Bhargava has referred, is particularly long because we could not distinguish between what is personal expenditure and what is non-personal expenditure One can get himself into the inside of many things. In addition, the provisions of assessments which are euphemistic now for harassment are so great that in all probability the Select Committee thought that it should be very liberal in its exemption, though I personally take exception to certain of the exemptions that have been given in this particular thing

The argument that is propounded often is that after all the tax will affect a few does not really hold much relevance because one has to realise that if a tax has validity, if a tax has vitality, it does not know where it begins. A tax does not know where it begins and the result is that there are other things which are really being brought in and many other people are affected Had the Select Committee accepted the proposal to reduce the exemption limit to Rs. 18,000 or Rs. 24,000, it would have been immediately forced to reconsider the question of harassment for when many people squeal, it is difficult in a democracy to say that they will shut their ears to what is happening. And that is a point which we have to take into account in the consideration of this measure

I have other objections to advance against the proposals that have been put forward by the Select Committee. There is, for instance, the ceiling limit put on the expenses that have to be incurred by an assessee or a dependant. Now, I could

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never for my life understand why such necessitous expenditure should not be allowed. After all, we are going to limit the expenditure only when it is actually incurred and to suggest that we are going to have evasion and other things does not really make sense in my humble opinion. It may make sense to others more illustrious and more brilliant but to my meagre intelligence, that argument does not make any appeal whatsoever. I want to put before this House, I want to put before this country that if we have actually incurred medical expenditure, it must be realised that one does not fall ill every day. These medical expenses are highly irregular and you do not have any control over such expenses. I want to put it: if that is done should there be a tax put as it were on our health considerations?

13 hrs.

Sometimes some of my hon. friends suggest that if there are so many people who really have lack of medical facilities why should not the few pay for such medical facilities. With great respect to them I want to say that this is an argument which will not hold water. The argument that if generally in an area people do not have medical facilities, those who have the wherewithal to acquire the facility should be denied obtaining the best of medical aid is, in my humble opinion, a queer interpretation of equality and a queer interpretation of socialism. That is not the vision of socialism; that was not the vision of socialism of Morris and others who were great humanists and who propounded the idea that as far as possible there should be equality of opportunity and people should not just be penalised just because they have a few advantages. What should happen particularly in respect of expenditure is that we should allow the expenditure that is actually incurred.

In fact, this particularly provision about medical expenses hurt me a great deal, Sir, because taken in conjunction with section 18(1) it is a particularly heinous provision. There is a provision in the Expenditure Tax Bill in which we have said that all taxes which accrue ought to be paid by the legal representative. Of the medical expenses which a man has incurred so that he might have his life we are to recover a portion for the State, how heinous it is to any society and particularly to a socialist pattern of society I leave it to my hon. friends to think over and consider for themselves.

I am not against medical aid being given to others in our society. We ought to have medical aid extended to all sections of society. But you are not going to extend medical aid to other sections in society by making me die an uncomfortable death. If that were so, I would gladly support my hon. friend in his proposal. But that is not so.

As for expenditure to be incurred on foreign education, I do not know why there should be an arbitrary limit of Rs. 8,000. I had only the other day an opportunity of talking to the Editor of a leading weekly, Mr Shankar, who pointed out to me that he would have to incur Rs. 12,000 a year on the education of his son for sending him to Czechoslovakia. There are other countries where there are different rates of expenditure. If our foreign exchange position is bad, then we need not send these people in a particular year, or we can regulate the number of people going abroad. But why place a limit?

Shri Narayanankutty Menon (Mukandapuram): There is no limit at all.

Dr. Krishnaswami: There is 8,000.

Shri Narayanankutty Menon: You pay 10 per cent more.

Dr. Krishnaswami: The moment you place a limit and say over and above

that you shall pay a tax, it is a tax on education and a tax on education is a thing which I cannot understand. I believe that if we are going to have a real society where there is more amount of goodwill, we should try to purge our minds of some of these illusions and have a better system of taxation.

My hon. friends on the other side ask what about resources for the Plan? We have been asked this question times without number. My hon. friend the Finance Minister has said that whenever we speak from this side we are destructive. We are not alternative Finance Ministers to put forward proposals as to how the Budget should be framed We do not have the capacity and we probably will not reach that position of eminence at all, and therefore it is impossible for any person to expect that we would put forward proposals in that strain. But I am quite willing to put forward certain arguments which if he does not consider, at least I hope Parliament will have some amount of patience to consider.

After all I am appealing to my hon. colleagues in this Parliament who are greater than the Finance Minister to consider my suggestion. I think it is clear that we have reached a stage when we are to find how we are to have the resources. May I in this connection, although it may sound bookish and perhaps professorial, bring to the notice of the House that if we are on the look out for resources, if we really want to have a socialist pattern of society, we must imitate those who have built their fortunes and not merely try and divest them. The essence of a large fortune as Allen Young, and William Morris, great humanists, pointed out is not so much the income that they derive, as the benefits that accrue from capital appreciation. We have so far attempted only to operate on the income or on property after it has been built up by the individual. It would be much more effective if the State were to imitate the individual who successfully builds up a fortune. This implies saving as much as is feasible and investing wisely with an eye on the future. That is the purpose of having a taxable surplus with us. This applies at all levels of operation, the Central, State and local Had this method been availed of earlier, we might not have had to introduce such unpopular taxes like taxation on railway passenger traffic as we have done only quite recently.

I suggest that instead of operating only on the gilt-edged market in the open market as we are doing, we might be able to extend open market operations to equities and real estate. In fact, Allen Young in that thought-provoking article published so long ago as 1928 points out that he is surprised how public utility organisations are unable to take advantage of the increase in capital appreciation. We need a bit of dynamism and we need also a bit of vision. We need also to understand that in a growing economy, more particularly economy which is developing very fast, in the words of Louis, the best way to obtain resources in a developing economy is to obtain a share in the capital appreciation and not depend only on current income as we have been doing.

I am not approaching this problem of resources from a defeatist point of view, though of course there would be considerable justification for me to approach it from a defeatist point of view, considering recent trends in financial and economic matters But I should like to point out that it would be very good if we could apply our minds afresh on these matters instead of thinking of a tax on health, a tax on education and also a minimisation of the obligations of the family towards dependants, which is utterly wrong and which is utterly useless from a social point of view. I suggest that the idea of benefiting from capital appreciation would be useful, because the motivations are the same in many respects and those who want to invest and develop the economy of the State must have all the incentives.

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The only section of the community which will have shed tears would be the speculators. But who worries about the speculators in a developing economy and certainly in an economy where we are going to have greater equality of economic opportunities, where we have made great promises to the common man and which we ought to fulfil and if we do not fulfil will end in chaos.

All this expansion of resources is quite simple and can be done, but one has to view these problems in this manner I have nothing else but great respect for my hon. friend the Finance Minister. But I do feel that when he goes off the rails I have a right to point out to this House, I have a right to point to this Parliament that the time has arrived when we ought to give a bit of our mind. One may lose one's temper, but that is not going to be an answer to economic requirements. And I say to you and indeed I say to this House that however much you might try to hide these matters, an expenditure tax is an inquisitorial tax and sooner or later—sooner rather than later—either we modify the assessment machinery altogether, or we will be compelled if in spite of my plea the House passes this legislation, to repeal it.

Shri Morarka (Jhunjhunu): Mr Chairman, Sir, this expenditure tax has a very interesting and respectable academic history extending from Hobbes to Fisher if not from Kautilya to Kaldor. All these writers supported the view that the tax on spending is more equitable and more fair than the tax on income. They said that this tax has a special merit, that it promotes saving. But in early days this tax did not become popular, it did not catch the fancy of the people because the progressive rates in those days were unknown, and they thought that without progressive rates this tax would become very regressive and it would be hard on certain sections of the people.

In recent times, Professor Kaldor very vigorously advocated this tax though without much success in his own country. In America an attempt was made first in 1921, and then again it was repeated in 1942, but without much success. They turned down this expenditure tax on various grounds. Professor Kaldor's main starting point was that the present definition of income for purposes of income tax was hopelessly inadequate, that it does not tax all forms of income and, therefore, lot of income escapes taxation. Instead of attempting to modify the definition of income, he wanted to switch on to another base of taxation, namely, spending, and he justified that on the ground of simplicity, fairness and encouragement for saving. He thinks that unless a man's gains are reflected in his standard of living no additional tax should be put on him. If a man simply earns but he does not spend, then he should not be taxed That was Professor Kaldor's theory

Professor Kaldor wanted that the entire income tax basis should be replaced by this expenditure tax. But, though he advocated this, he was quite aware of the administrative difficulties and the consequent perils to the State revenues Therefore, he wanted to make a beginning on a very modest scale What he did was, he said, to begin with let us not replace the entire income tax expenditure tax but we will only have the surtax or super-tax replaced by the expenditure tax That was his compromise.

Why did he want that? He said: "Inspite of the administrative difficulties which I foresee, there are three great advantages in the scheme which I am advocating." What were those three great advantages? One was that a tax on spending would encourage habit of saving; secondly, that it would tax the capital gains—that is, gains made not in the ordi-

nary course but on capital assets, and, thirdly, that it would also tax the expenditure out of capital i.e. capital dissaving

Many economists who considered this theme have dismissed this idea of an expenditure tax on the grounds of administrative impracticability. Even Professor Pigeau, who was mentioned by the hon. speaker who preceded me, was content by taking the advice of the administrators who told him that if this tax base was accepted then it would open such loopholes that it would be impossible to block them,—it would almost be a Herculean task to stop evasion without much effort and much money.

In 1942, in America, when this tax was propounded by Morgantheau, he said that by introducing this tax he would attract more revenue, more money for the treasury either by means of tax or by means of borrowing He also thought that there would be a discouragement for consumption and encouragement to saving

When we consider our expenditure tax we must consider it against this background, and then see whether the purpose of this expenditure tax would be served by the Bill which we intend to pass here The hon. Finance Minister in his Budget Speech, just before he introduced this Bill in this House, said:

> "This is a form of taxation which has no backing as yet of historical experience. It is, however, a tax which, given effective administrative arrangements, can be a potent instrument for restraining ostentatious expenditure and for promoting saving In the present circumstances, I think all we can do is to make a small beginning. I propose to levy this tax only on individuals and Hindu undivided families whose income for income tax purposes is not less than Rs. 60,000."

Sir, accordingly, in the Bill that he introduced he provided a proviso to the charging clause, namely, clause No. 3 That proviso was as follows:

> "Provided that no expenditure-tax shall be payable by an assessee in respect of any assessment year if his total income under the Income-tax Act during the previous year does not exceed sixty thousand rupees."

At that time many hon. Members objected to this proviso, and they thought that there is no justification in linking the expenditure tax to one's income Sir, if it is an expenditure tax the tax must be on the amount one spends If a person spends more than the exempted limit then that person must be taxed. If he does not spend more than the exempted limit, then he should not be taxed But, by providing this proviso in this tax measure what you are doing is, you are providing first for an eligibility certificate, so to say Who would be eligible to pay expenditure tax? A person whose income is not below Rs. 60,000 for the purpose of income tax. If he has that income, and if he is eligible to pay that tax, the next test you apply would be whether he has spent more than a minimum sum which is exempted. If he has spent more than that sum then he is liable to pay tax according to the rates mentioned in the Schedule

At that time the hon. Finance Minister saw some force in the argument put forward and, therefore, when he moved the motion for reference to the Select Committee he promised that this would be considered and suitable amendment would be made. Accordingly, this proviso received very serious consideration of the Select Committee, and as a result of that consideration the Committee amended the proviso in the following terms:

[Shri Morarka]

"Provided that no expenditure tax shall be payable by an assessee for any assessment year if his income from all sources during the relevant previous year as reduced by the amount of taxes to which such income may be liable under any other law for the time being in force does not exceed rupees thirty-six thousand."

When the Bill was moved here in this House it was Rs. 60,000 gross and when it has come back from the Select Committee it is Rs. 36,000 net. The scope of the proviso is now considerably reduced, in the sense that before the Bill went to the Select Committee a person was required to have Rs. 60,000 income liable to income tax. If he had any other income which was not liable to income tax, and even if that income was more than Rs. 60,000 he did not come within the mischief of this Bill, he did not become 'eligible' to pay expenditure tax. Now, as the proviso has been amended, if you have got a net income, from whatever sources it may be—whether it is agricultural income, capital gains or even if it is income from betting—of Rs. 36,000 in your hand you would become eligible to pay this tax. To that extent the proviso has been narrowed down, and it would certainly bring more persons now within the scope of this measure. I believe the number of people would go up from 8000 to about 10,000 or 12,000 for the purpose of this expenditure tax.

Even though the Select Committee has done this, I still wonder what is the real justification for this proviso. The question that you must ask is, whether the main purpose of an expenditure tax would be served if this proviso is there, namely, whether it would promote saving, whether it would prevent spending from capital accmulated in the past, whether it would prevent spending from capital gains—these were the three purposes, as I said before, prescribed by Professor Kaldor. Now, if you apply this test you will find that what happens is this. If a person's net income is Rs. 35,000 then, whatever amount he may spend, from whatever source he may spend, he does not pay any expenditure-tax, but if a man's income is Rs. 37,000, then certainly he comes within the purview of this tax measure. What I wanted to say was this. If it is an expenditure-tax, then the tax must be based on expenditure and anybody spending over and above a certain amount must be taxed irrespective of whether he has spent from his current income or whether he has spent from his past accumulated reserve If a person has spent from the past accumulated reserve, there is all the more reason why he should be taxed, and perhaps taxed more.

The second purpose is, whether this would encourge the habit of saving. Yes, Sir, to a limited extent, it would, but not of those persons whose income is below Rs. 36,000 net. All persons whose income is below Rs. 36,000, since they are not touched by this tax at all, would be neither encouraged nor discouraged so far as savings are concerned

Then, what is the justification for this proviso? I think that there are two main justifications. The hon. Members who criticised that this proviso should not be there must remember the two main reasons for which I advocate the retention of this proviso in the Bill The first justification I would like to put is that this tax is a new tax. It has no precedent elsewhere in the world except that, to a limited extent, we find it in Germany.

13.22 hrs.

[MR. DEPUTY-SPEAKER *in the Chair.*]

In Germany this tax exists in an alternative form; the form is, that you may either tax a person on income or you may tax him on his expenditure. There, this option is with the tax-officers. If you want to tax a person on his expenditure, then

it is necessary that the expenditure of that person in that particular year must exceed his income at least by 50 per cent in that year; that is, if he has not spent more than his current income, you cannot apply the expenditure-tax at all. Even in the Western countries, where the tax-collecting machinery is much more perfect than what we have here in this country, they have hesitated to adopt this tax, because they feel that it is a very big, monstrous administrative problem to collect this tax and to collect it on a fair and equitable basis. If those countries did not dare to go near this tax and adopt it and put it on their statute-book, and if this country, whose tax-collecting apparatus is by no means so perfect, is going to adopt it, then, it is just fair that we make a small beginning; we make haste slowly and provide some safeguards against harassment.

The second justification, perhaps more important than the first one, for this proviso is, we must not forget that this proviso is necessary because, in the last analysis, the fundamental justice of income-tax is that it taxes people when they earn; that is, it taxes on what you have. So far as expenditure-tax is concerned it has no such safeguards It affects you even if you spend out of borrowed money; even if you take a loan and spend, still, the tax would be applied just the same. In order that that hardship may not be felt, this proviso is perhaps quite necessary Catastrophes occur not only in families but in business and in homes and even our welfare State has not provided against all such contingencies. In view of that, it is quite essential that in the Bill itself we must have certain safeguards.

I would say one more thing and that is, the effect of this tax. Before this expenditure-tax was introduced, our marginal rate of tax on income was as high as 91 per cent. Now, that has been reduced to 76 per cent. Before the introduction of the expenditure-tax, if anybody wanted to have Rs. 10 more for spending, he would be required to pay about Rs. 91 by way of taxation. Now, after the expenditure-tax, what would happen is, he would pay Rs. 76 by way of income tax and he would be left with Rs. 24. Out of this Rs. 24, if he spends Rs. 10, then he will have to pay another Rs. 10 by way of expenditure-tax at marginal rates. Even after that, on the whole, he would be left with Rs. 4 as net savings. So, taking expenditure-tax and income-tax together, I think there is full justification for the rates which have been proposed by the Finance Minister and which have been accepted by the Select Committee.

It has been often said that this expenditure-tax is an excellent tax for misers: the people who do not spend would benefit under this measure, and people who are in the habit of spending and buying luxury articles, would suffer. Now, whether that is true or not, only time will tell. I think that there is some justification and some force in that argument.

Mr. Deputy-Speaker: A miser would not spend, he would save; then there will be wealth-tax and the Estate Duty He will come under one or the other.

Shri Morarka: Yes, Sir But if you kindly compare the rates of the wealth-tax with those of the expenditure-tax, you will find that the expenditure-tax goes as high as 100 per cent. though Prof. Kaldor recommended it at 300 per cent. But our moderate rates are also 100 per cent, while the wealth-tax rates range from half to one and a half per cent, which you can easily pay out of the accruals of the capital even if it earns five to six per cent annually.

Mr. Deputy-Speaker: Though that wealth is gone, they are to be taxed again and again.

Shri Morarka: True, but even then, the person who used to pay Rs. 91 in the past will be paying Rs. 76 today. If he spends, no doubt he pays an expenditure-tax, but if he does not spend, certainly he saves that amount and to that extent, because he does not spend he is a miser, and to that extent he saves income-tax. That was the argument, for whatever it is worth, and I personally saw some force in that argument.

It is contended by some friends here that Prof. Kaldor wanted that this tax should be applied only to the sur-tax payers and therefore the proviso has some justification even from the point of view of Prof. Kaldor. I would humbly submit that that is a wrong reading of Prof. Kaldor. What Prof. Kaldor said was that we will have expenditure-tax in the place of the sur-tax, that is, whatever revenue we would lose by not having a sur-tax, we could hope to get by having the expenditure-tax. But that did not mean that only those people would be liable to expenditure-tax who were liable to pay sur-tax. That is the small point which I forgot to make.

Mr. Deputy-Speaker: Shri Kamal Singh.

Shri Supakar (Sambalpur): My name appeared next to him.

Mr. Deputy-Speaker: I cannot say that the hon Member has seen the list.

Shri Supakar: That was announced; that after Shri Morarka, I would be called.

Mr. Deputy-Speaker: I have called Shri Kamal Singh. If that was announced like that, that was a mistake. It is not the hon. Member who is next, but the hon. Member whom I have called.

Shri Supakar: Shri Pattabhiraman was in the Chair then and he said so.

Mr. Deputy-Speaker: Shri Kamal Singh will now speak.

Shri Kamal Singh (Buxar): I am opposed to this Bill on principle. Even at this late stage, when the die has been cast, I would like to place my views in an objective and dispassionate manner.

The Finance Minister seeks to restrict ostentatious expenditure and promote savings by introducing this Bill. So far as small savings are concerned, I have nothing to say. But so far as expenditure is concerned, I feel it should not be restricted in any way in our economy today. Money should be kept in a constant state of circulation in every sphere. It should not be restricted, because it is against our planning.

It is our inherent nature to save. I feel that this Bill makes an unnecessary and harsh imposition on this inherent nature to save. I do not think that we should go further and press on them. In a Bill of this nature, I feel that psychology and sentiments should be considered. Many of our schemes have had adverse consequences by psychology and sentiments of persons not having been taken into consideration.

I would like to take the House five or six centuries back when there was an illustrious ruler in Delhi, a man who had brilliant inspiration, who was far ahead of his times. I need not mention his name; I think the House is very much aware of it—Mohamed Bin Tughlak, but his measures suffered fatal consequences for the same reason. So I feel that we should not ignore the sentiments of the people to help saving.

I feel that today we are too much dominated by laws and enactments, without a corresponding enforcement of those laws to that effect. I would like to ask, how many of these laws are being obeyed? When the police firing was being discussed here the other day, the hon. Home Minister pleaded for the cause of the policemen by saying that much could be achieved if the masses would cooperate and give due consideration to

the policemen, as it is done in other countries like England. The hon. Finance Minister is also of the same view. He comes to us and says that so far as income-tax is concerned, there is wide evasion and the machinery is not able to cope with the evasion. That is why I submit that this is a wrong conception. The conception of this Bill is a wrong conception, because it is sought to legalise everything and to have an atmosphere of laws and enactments.

So much was said by way of sacrifice. I submit that the sacrifice should be from within us and should not be taken by way of compulsion, as it is sought to be done here.

About ostentatious display, as has been said, I feel that surely the Government is the biggest culprit in this matter. It is they who make a display of ostentatious expenditure. Should not an example be set first by the Government before this sacrifice is called from our side? I wish to give only one example, with due respect to our Ministers and Members on the other side. All the Ministers, both at the Centre and in the States, display "ostentatious expenditure" in the way they use motor cars, telephones, aircraft, air-conditioning their houses, etc. There are even lifts in the double-storeyed buildings of Ministers. There are guards of honour when they go to visit rural areas and there is a regular darbar of local officials.

Shri B. S. Murthy (Kakinada—Reserved—Sch. Castes): It is all ancient history.

Mr. Deputy-Speaker: Order, order.

Shri Kamal Singh: I may tell the hon. Member that this is very recent....

Mr. Deputy-Speaker: The hon. Member should continue addressing the Chair instead of engaging in private conversation.....

Shri Kamal Singh: These are some of the examples. I would submit that if these are not ostentatious display of expenditure, surely one should draw the line and say what is ostentatious display and what is not. I would also in this context like to ask about the Upper Houses in the States—about which a Bill is being introduced in this House—are they not also ostentatious display?

I would like to refer to my hon. friend, Mr. C. D. Pande's pertinent remark the other day. He asked the House, "Where would these taxes lead us to? Who are going to be benefited by the taxes? Whom are these taxes going to make happy?" I would submit that it affects the middle-classes. It does not help the poor classes either. The poor classes have not got even the basic amenities today. If we take the rural areas, they are as primitive as they were 20 years back. I would like to ask, what have the Government done, even before bringing this Bill, so far for uplifting the condition of the masses, especially in the rural areas? What is the condition of the village roads today? What about medical facilities and other amenities like education and sanitation?

With our ambitious Plan and the expenditure liable to be incurred thereon, I wonder how far this small amount of fifteen or twenty crires of rupees, whatever is sought to be collected by this tax, is going to alleviate the conditions of the poorer classes. I would therefore like to ask who is going to benefit by the imposition of this tax. I would repeat that the condition of the people in the rural areas is abject. If by this measure we seek to reduce expenditure and by the other measure, namely the Wealth Tax Bill, reduce the inequalities, let us be quite sure and definite that we benefit the poorer sections, and let them feel that this much is being cut from the richer classes for benefiting the poorer classes. In that case I would submit that whatever is col-

[Shri Kamal Singh]

lected by this tax or by the Wealth-tax, be directly earmarked, let there be a committee for that purpose, and let it be spent on public works in the rural areas.

Then I would like to come to the Bill as it has emerged from the Select Committee. I would like to draw the attention of the House to the glaring anomalies that I find here, and the most glaring of that is the income level of Rs. 36,000 that has been kept. I feel it is tantamount to this, that those who have got an income of less than Rs. 36,000 can spend any amount, whereas a person who has more than Rs. 36,000 is taxed on that amount. I consider this very unfair and rather queer.

Coming to medical expenditure, I fully support Shri H. N. Mukerjee when he remarked that....

Mr. Deputy-Speaker: The House should not get dull to the ear or to the eye. There are concentrations at some places and hon. Members are talking among themselves.

Shri Kamal Singh: Shri H. N. Mukerjee drew the attention of the House to the exemption given on investment expenditure, on bullion and jewellery, and I fully endorse what he said. While that is allowed, expenditure on health or expenditure on education or on funeral or birth, expenditure on all those necessary items is not allowed. I am rather surprised at this and I feel that consideration should be given to this matter. I would also like to ask of the House and of the hon. Minister whether he considers this as ostentatious expenditure. So far as medical expenditure is concerned, it may be a question of disability or accident, besides a person is under a certain amount of strain and is not able to control his expenditure. When that is the case, should this limit be kept only at Rs. 5,000, as is sought in the Bill? Similarly with regard to education, I find that expenditure on education within this country is not exempt. If a person sends his child outside the country, it is exempt up to Rs. 8,000. I would say that education is hardly a thing that could be called ostentatious, and I feel that both the expenditure on Education whether incurred within the country or abroad as well as that on medical be totally exempt from the purview of this tax.

One other point, and that is that this Bill discriminates against married persons having dependants. A person who is married and is having dependants and a person who is unmarried have the same amount as the exemption limit. That, I think, is rather unfair and it may tend to mass injustice.

I would in conclusion say that though it is at a late stage that I am opposing the Bill as a whole, my views have been rather dispassionate and I have taken an objective view.

Mr. Deputy-Speaker: Not only late but very late; it is rather too late to oppose the Bill as a whole.

Shri Kamal Singh: I have laid my views before the House. So far as the Bill is concerned I have shown the anomalies that exist and I plead that due consideration may be given with a view to remove those anomalies.

Shri Supakar: I take my cue from many hon. Members of this House who have said that the main object of an ideal tax should be reduction of inequalities in our society, that one of the main objectives will be the achievement of egalitarianism and that we should aim at the establishment of a socialist pattern of society even with the help of a tax. But I wish to say that this tax goes counter to those ideals and I believe that this is a very anti-egalitarian and anti-socialistic-pattern-of-society type of Bill.

Now, Sir, in the original Bill it was said that persons with an income of

Rs. 60,000 and more would come under the mischief of this Bill. And then we were told that only 6,000 people would come within the operation of this measure. Now, when the Income-tax limit is lowered to Rs. 36,000 we are told that 8,000 people would be involved in this tax.

But let us see from the view-point of the rest of about thirty-six crores of people in India: how far this measure will help in reducing disparity in our society and how far this will help in the flow of money from the richer section of our population—from the eight thousand persons—either to the Government or to the poorer sections of our population And in this connection I may say this: to the extent that a rich man hoards more and more of money, to the extent that he saves more and more and probably in that process of saving, some portion of his wealth may go underground, it has a tendency to defeat the object of egalitarianism.

I will explain my point with one or two illustrations. Let us imagine a very rich person who now spends several lakhs of rupees per annum and is therefore liable to pay a cent per cent tax on his expenditure. If he saves a lakh of rupees out of his expenditure, he not only deprives some poorer sections of the people—some servants, some grocers, some fruit-sellers or some businessmen—a portion of their earning that he used to spend but by converting one lakh of rupees of expenditure from expenditure to wealth he deprives the Government of an immediate expenditure tax upon that money—though he will ultimately have to pay a small portion of that saving of one or two lakhs of rupees by way of wealth-tax But apart from these two aspects that he checks the property from flowing down from a higher level to the lower sections of society and that he deprives the Government of an immediate income by way of the expenditure tax, another aspect is that he increases the inequality by becoming richer and by defeating the process of egalitarianism to which all of us are wedded.

Some clever fellow in the *Wall Street Journal* in America characterised the expenditure tax as "an income-tax walking on its hands." We believe in yogic asanas and we are not afraid of this frightful prospect of walking on our head or walking on our hands, but we may not do so for an indefinite period and if we do then there will be the danger of the blood accumulating in the head. That is exactly the process that the expenditure tax helps. It helps in concentrating wealth in the hands of 8,000 persons to the exclusion of the remaining 36 crores. It helps in creating an army of 8,000 King Maidases. You know the story of King Maidas who loved gold more than his daughter. I believe this is a tax which helps in creating 8,000 misers or 8,000 people who will grow richer and richer at the cost of others, and the hope held out by the Finance Minister that most of the saving may come to the Treasury by way of Wealth Tax or Estate Duty after the demise of the persons concerned may be defeated, and most of the property that we expect by way of expenditure tax may go underground. In this sense what the Finance Minister said may be believed. He said he would not be sorry if the return from this tax diminishes gradually and vanishes into nothing ultimately because there will be so much saving and some of it may come to the State or the public sector by way of investment in public undertakings. If he is not sure that most of these savings will go to the development of society by way of investment in the public sector or the private sector or by way of taxation, to that extent this tax is fraught with dangerous portents.

For the same reason, I did not understand the objection that Shri H. N. Mukerjee took to expenditure on works of art under sub-clause (g) of clause 5. I did not understand if

[Shri Supakar]

he objected to the poor artist getting a fair price for his work. Yet we find that the omission or the retention of this sub-clause, namely expenditure in connection with works of art, makes all the difference to the earning and livelihood of many of our artists, most of whom are unable to make both ends meet.

Let us imagine, for example, an instance of a very rich man who pays cent per cent as expenditure tax, who takes a fancy for a work of art for which he is prepared to pay Rs. 1,000 and no more. After the expenditure tax comes into force either the poor artist will have to sell his work to him for the sum of Rs. 500 or what is more probable, the rich man may not patronise the poor artist and the artists may be forced to starve. It is one thing to say that we should have more works of art in the public galleries rather than in private parlours, but it is another thing to discourage the poor artists, most of whom are very poor and are unable to make a living out of their fine work. I think, to solve this problem it will be better to start a campaign of *chitra dan* or *charu kala dan* in order to divert the art collections from private parlours to public art galleries. Therefore, I submit that the objection to the retention of sub-clause (g) is merely a cruelty to talented artists. I believe that the Lalit Kala Akademy or any other Government organisation in that line cannot reach a stage in the near future when private art collectors can be eliminated and the State will be able to pay the price for all works of art.

I come from a State which is annually subjected to flood and has recently been subjected also to frequent fires. I have tabled an amendment to exempt expenditure incurred to reimburse the loss on account of natural calamities like earthquake, floods or fire.

I do not belive that our Hindu joint family is dead or is dying. I believe that in a country like ours, the joint Hindu family system serves a very useful purpose in our economy. It is only in Western countries that a family consists of a man, his wife and minor children. In a country like ours where there is no old age pension, no unemployment insurance, there is the necessity, which is enjoined by our ancient sages, of moral obligations and the sacred duty to maintain one's old parents and grandparents and widowed sisters, for example, who get no maintenance from the father-in-law's place. They are dependants, but dependants to whom the assessee owes an equal if not heavier debt than to the State for development, and it is our duty to facilitate the discharge of that duty of the assessee by extending the definition of the term "dependant" in the true Indian tradition.

I will conclude by coming to the purpose of the Bill again. If it is said that this Bill is there for the purpose of putting a check on ostentatious expenditure of the very rich and that this check is an end in itself, I believe that this Bill will fully serve its purpose

If it is contended that this Bill forms an integrated complement of the wealth tax and the income tax to check evasion and to get a correct picture of the assessees finance I hope that it will do so. If it is argued that we are badly in need of money for the fulfilment of the Second Plan and therefore, the expenditure tax is necessary, I wish the Finance Minister the best of luck But if it is put forth that this is one of the Bills which tends to create an egalitarian society and to establish a socialist pattern of society, I think, and I must emphasise, that this Bill will fail in its purpose.

14 hrs.

I will conclude only by refrerring to another quotation from Kautilya who says:

अल्पकोषो हि राजा पौर जानपदानेव ग्रसत

"When the State is short of funds, when there is no money in the State treasury to meet the needs of the State, then the king—in the present case, the State—wants to swallow up the people".

Let us hope that we are having sufficient consideration for our people in general.

Shri Khadilkar (Ahmednagar): I would like to examine the Bill, as it has emerged from the Select Committee, not in the light of what Kautilya had said but in the light of what Kaldor has said, because Kautilya was legislating for a society which was totally different from what obtains today or what we visualise for tomorrow. Therefore, when we are to judge the Bill, as it has been modified by the Select Committee and placed before us now, we will have to see what Kaldor has to say, because he was invited to survey our tax structure and suggest reforms. He has made a first observation in his report which, while discussing this measure, we should bear in mind. He says:

"It is essential that the additional burden that will inevitably be imposed (either through taxation or through an inflationary rise in prices) on the broad masses of population should be complemented by an efficient system of progressive taxation on the small minority of the well-to-do who in India number only about one per cent of the population. Without that, the rise in expenditure during the Plan will inevitably increase the wealth of the richest classes disproportionately, and the distribution of the burden imposed on the community at large will be contrary to the sense of justice and equity of a democratic society".

I think Kaldor, while making these recommendations regarding wealth tax or expenditure tax or, for that matter, gift tax, was motivated, after looking into our tax structure and the objective that we have placed before us, to do so in the light of his observations just mentioned. I was surprised in the Select Committee deliberations as well as here in the House to find that even a section of the Congress Party, who say that they have adopted a certain social objective, are taken in by the propaganda carried on in the name of free enterprise. All this propaganda, all this grumbling and growling, that is going on in the country against the tax measure before the House, is intended to get as many concessions as possible for that small minority which is getting all the benefits at the expense of the poorer sections. This is the golden age for private enterprise in our economic development, if I may say so, and it can be proved. In this golden age, they want to get more and more concessions and, therefore, greater and greater growling is going on. Some of the Congress people have been taken in by this and they also say that this must be modified in those directions.

Unfortunately, I am not satisfied with the modifications made in the Select Committee because of the newspaper propaganda outside, surreptitious pressure within the party and round about. Unfortunately, the Finance Minister, who was bold enough in the initial stage, ultimately succumbed and surrendered, in my opinion, to all these pressures.

Now, what is the state of affairs? Let us examine how far the main arguments against these measures, are valid. It is said that all these taxation measures, including expenditure tax, will have a disincentive effect. Fortunately for me, there is a good comparison made by one of the well-informed contributors to the *Times of India*, one Mr. Haran. For want of time, I cannot quote all the details. But he has pointed out, taking two major industrial concerns from West Germany, and comparing their balance sheets with those of the TELCO, that our firms are much better off than their foreign counterparts. I will read out the relevant part of what he has got to say, because I have no time to read the

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whole. He says that though the general turnover is very big and there cannot be a comparison, when actual profits, after payment of taxes, are compared, these two Indian companies are much better off than the parallel concerns in Germany. The German firms are Mannesmann AG. of Dusseldorf, and Daimler-Benz Ag. (who are partners of Tatas in the technical production here).

What does this indicate? It clearly shows that the impact of taxation on the private sector, as it is made out, is very negligible and they have enough resources left to further expand and further exploit; their profit incentive is not getting weaker but is being strengthened day by day in our so-called socialist pattern of society.

Shri Sinhasan Singh (Gorakhpur): What is the amount of profit? Let him please read it out.

Shri Khadilkar: The comparison is made after eliminating taxes. I would refer the hon. Member to the last Sunday edition of the paper because the Speaker has told me that I have got a very short time at my disposal. I have got the full figures with me. I will give them to the hon. Member.

Another point. We are short of resources and we do not know what is going to happen. We do not know whether we shall get foreign exchange or aid as we desire. At this hour, a certain amount of austerity is necessary. But what do we find in this city itself? I was told by a friend of mine who is a life member of a good and reputed society in this land: you go to the Imperial Hotel and there everyday thousands and thousands are being spent to fix certain things. This is happening in our socialistic pattern of society.

Some Hon. Members: What is that?

Shri Khadilkar: I am coming to it. Corruption forms part of our social apparatus and political apparatus. In this hotel where so many things are served, certain contracts and certain contacts are fixed. As it is reported, even in Soviet society, there are 'fixers'. So in our society and in this metropolitan capital city of the Indian Republic, there are 'fixers', and if you wanted, you could find out what type of expenditure and what type of life a certain section is indulging in.

Moreover, I have travelled through the west and I have seen those people in the top brackets there. There services are very dear. You won't get them so easily. So the upper strata in this society in India are today much better off than their counterparts in England or Germany or in any country of the western part of the world, the so-called democratic world. Here there is every freedom particularly for this class of people to exploit and to squander wealth, and still my hon. friend, Shri Masani, in the name of private enterprise, is saying that their freedom in being curtailed by all the taxation measures before us.

Planning has a double purpose; one is production and other is certain social objective We want to impart a sense of equality. The social purpose behind planning is there and that has been emphasised in our Plan. Can we forget it when this measure is brought before us? Therefore, after saying a few things to counteract the arguments placed before the House by a section of the protagonists of private enterprise, I would turn to the Bill and I would like it to be amended in some form. I have suggested it in my minute of dissent.

I have said that under the existing circumstances, Rs. 30,000 must be the maximum limit The reason why I say so is this. Hardly Rs. 300 is the income, the *per capita* income of the ordinary man. If you keep it 100 times, the gap is big enough. If we calculate the list of exemptions provided in the measure, I think, they will

be rolling in luxury. That is the provision made. I do not see why people complain that a few thousands more have not been provided for sending their children to foreign countries. Is not the State on its own sending for technical training our boys and girls? Only the privileged few will be able to send their children on their own. They want to maintain that privilege. I cannot tolerate this position. Therefore, I would say that if this is further curtailed there should not be any grumbling. It is the responsibility of the State to send people outside for higher studies. On this ground, as I have suggested in my minute of dissent, the maximum should be Rs. 30,000 and for a bachelor or a *karta* of a family, he should not get more than Rs. 24,000.

I will just pass on my suggestions and I will not take a long time. Along with this, there is the question of harassment. That cannot be ignored. To minimise the harassment, I would request the Finance Minister to adopt a suggestion. The top bracket income group that is likely to be affected by this measure consists of about 8,000 assessees individual or joint families. Let them keep a wealth register for this class of people as it has been suggested by Kaldor. That will be a good devise. Tax evasion will naturally be easily detected when they have the register. In order to avoid harassment, I would suggest, if the present scales of pay of the officers of the Income-tax department are less, pay them more. At the same time, see they do not treat the assessees as if they were criminals. There is a growing sense in the minds of the assessees that if they are going to an Income-tax Officer they are being treated as criminals, they are suspects. That must be avoided as far as possible.

Therefore, I would further suggest in order to avoid harassment some sort of independent judiciary attached to the Income-tax department should be formed so that disposals will be quick. The assessment as it has to be examined again and again will not be kept pending for long and matters could be made easy.

I would finally suggest that the measure as it has come now before the house must be amended so far as the top limits are concerned. Some of the exemptions provided should be done away with. We must give to the people a sense that the wealtheir clases share at least an equal burden in the present reconstruction.

Shri T. T. Krishnamachari: Mr. Deputy-Speaker, Sir, the discussion on this particular motion has followed the familiar pattern, namely, a certain section of hon. Members felt that the Bill, as amended by the Select Committee, had whittled down certain of the provisions and they have to be further tightened. Another section, which do not like the Bill altogether had pleaded either for dropping the Bill or for liberalisation of the provisions. Of course, there have been a few hon. Members, particularly like my hon. friend, Shri Morarka, who have more or less supported the Bill as it has emerged from the Select Committee. I think it is better for me to state my position.

I brought the Bill in a particular form. I indicated that there were one or two defects which might have to be removed in the Select Committee. But, by and large, I am committed to the Bill in the original form with such modifications as are absolutely necessary both for the purposes of administrative convenience as well as for meeting certain specific points raised by hon. Members of the Select Committee.

Speaking personally, if I had my own way I would not have gone so far as the Select Committee has done. But it does not mean any reflection on the work of the Select Committee, because the Committee, as a whole, represented the cumulative wisdom of the 35 Members and I cannot arrogate to myself the position that my own knowledge in this matter is superior to the rest of the 34. Therefore, I

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have accepted the position as set out by the Select Committee. If it is revealed that there are basic difficulties which would make this Bill administratively difficult, those difficulties will have to be looked into. But, if the contention is that either the expansion in the matter of allowances should be curtailed or they should be further expanded, it means we are going into the whole question once again. Then we have to submit each particular point of view to a critical examination and take the responsibility for the decision.

So far as I am concerned, I am not in a position to advise this House that such a course is either feasible or desirable. I must say that I did not hear the whole of my friend Shri Mukerjee's speech here. But the logic of his objections could not be seriously disputed. Apart from the ideological differences such as may exist, political considerations where his party would like to push the Government to a particular position, logically what he said is correct. I will take it a step further. Assuming what he has suggested is adopted by the House, what will happen?

Are we by this measure putting a check on expenditure which is absolutely without any limitation? Is it that the door is closed and one cannot exceed the Rs 30,000 or any other allowance that has been given? No, it is not. Most of the arguments that have been advanced in this House either now or at the time when we took up the question of referring the Bill to the Select Committee, seems to arise from a conception that by law we have said no man shall spend anything more than this amount. We have not said so. We only said that if you spend more than this amount, you shall be taxed and the tax is graduated. It is only 10 per cent for the first Rs. 10,000, 20 per cent for the next Rs 10,000 and 30 per cent for the third Rs. 10,000 so that if a man wants to spend Rs. 30,000 more than what the law permits him here, apart from the exemption, he has to pay a tax, to the Government, of Rs. 6,000.

We are told a great calamity will overtake that microscopic minority which would be affected by this tax, if we do not allow an expansion of medical expenses, an expansion in regard to the education both in this country and abroad, an expansion of the allowances for the maintenance of servants and so on. Nobody says you should not spend more. Well, if a person is ill and he spends Rs. 15,000 in a year, illness of that nature being rare, he will have to pay something more. One normally expects that a person who has an expendable income of Rs. 30,000 and more, probably Rs. 40,000 is a person who will not mind paying a Rs. 1,000 by way of tax.

It was said by some hon. Member that we might increase our taxation on luxury goods. The trouble really is this. The habits in this country even amongst the better-off are not crystallised. For instance, I might be a person earning a couple of lakhs one year, or probably for ten years, or even fifteen years and accustomed to spend that amount. But that does not mean that I will be spending that amount all the time. I may spend nothing at all, excepting on my food and bare sustenance and be quite happy.

It is not like United Kingdom where by means of a heavy purchase tax on motor cars you can tax people who buy cars, because there are a number of rich people, above the middle class to whom this expenditure has become a mere necessity. Therefore, they need not have an expenditure tax; they can have a purchase tax, which would do what is necessary, namely to inhibit the purchase of those commodities to the extent that operates as a check. There are quite a number of people who can go beyond that check. If a car costs £800 and the purchase tax is £350, maybe in this country we will not buy a car at all. What would deter us is the purchase tax we pay. In one sense even the Rs. 3,000 duty which we have put on the big cars has stopped private people buying cars; they buy it in the name of firms.

The regressive tendency of any taxation of this nature is high in a country where for one thing the habits are such that we have not been habitually rich. Maybe the princes and zamindars are different. But the common man who has become a rich man today has not been habitually rich and he can forgo some of the things that he was accustomed to use when he had the money and was permitted to use it. Therefore a mere purchase tax of that nature, which is a revenue producing effort, which inhibits consumption and perhaps to some extent promotes saving is a thing which we cannot think of in the face of the habits of our people. Therefore, even the expenditure tax that we have put in has to be a mild one in the first, second and third slabs.

My hon. friend Pandit Thakur Das Bhargava to whom the Hindu Undivided family is so sacrosanct that even Hinduism is not so important, produced an enormous number of arguments with his legal powers, his powers of brilliant and devastating cross-examination. He brought to bear all these qualities to dissect the arguments I had put forward. He even quoted me against me and brought in Kadambari. What did he say there? What is it that he has said? What is the disaster that is going to take place if a Hindu Undivided family which is in the habit of spending Rs. 60,000 spends Rs. 70,000? They will pay a thousand rupees. If my hon. friend Pandit Thakur Das Bhargava thinks that that is going to destroy the Hindu Undivided family, I will tell him, Sir, that it would not. A thousand rupees more for a family which is spending Rs. 70,000 is not going to destroy that family or destroy the basic structure of the Hindu society. Even if it is Rs. 3,000, or Rs. 6,000 it would not happen. Maybe after Rs. 6,000 probably the operation of natural forces of human psychology will restrict expenditure. I cannot understand what is the sin that we are committing by means of this expenditure tax. The slabs that are framed above Rs. 30,000 are themselves perfectly innocuous, Rs. 10,000 Rs. 20,000 and Rs. 30,000. That point has been completely lost sight of by the critics of this Bill on the side of further liberalisation. Others who want to liberalise it say: this is useless, it will not produce you the income. I do not want to frame a syllogism on the lines of the famous syllogism which Caliph Omar, put forward before the Alexandrian Library which he burnt. I do not say that if it does not produce the revenue, it is going to give me savings. I do not say there is any thing syllogistic about the proposition. A contingency of that nature is extremely unlikely to happen.

Let me tell my hon. friend, as a person with a certain amount of experience of human life—I have gone through the mill, I have seen life in various aspects—that human psychology is such that one would not be afraid of expenditure tax. If I am accustomed to spend Rs. 60,000 or Rs. 70,000 a year, I will still be in a position to spend it. Very possibly, I might hesitate a bit when I reach Rs. 60,000. Even then, I might say: all right a thousand rupees more. When a person is ill, does he worry about the cost of medicine? When a person wants to get his daughter married, does he worry about the budget? People used to say in my part of the country—I do not know whether you have that saying elsewhere that if you want to know how to spend, either build a house, or perform a marriage. If you plan to build a house for Rs. 20,000 you will complete it on Rs. 40,000. Even if you very carefully mark out every detail that you are going to spend on the wedding, ultimately you will find that you have overspent considerably. You have to pay something more for the bridegroom's party, lest the wedding may break off; then you have to spend on so many items.

This question of expenditure is a matter which is dependent on a num-

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ber of factors, not simply on logic which lawyers can bring forward in this House and say if you do this, such and such a contingency will happen. That contingency will not happen. I do think that the tax itself as framed will produce some revenue and it is good that it will produce revenue. That is the reason why we have put in clause 20, to compound in so far as princes are concerned While we have a right to put a certain amount, it may be that they will find it difficult; let them compound, let revenue considerations be satisfied.

So I am not despairing of revenue. I do think maybe initially the revenue may not be much, but progressively I think up to Rs. 60,000 people will accept the system we stipulate, this little amount of poison if you want to call it, and still flourish It will create resistance into the system only when the expenditure is above Rs. 60,000. I am only speaking for the person who can afford to spend Rs 60,000, who is accustomed to it. So from the point of view of income I do not think one need despair of the position. The money must come from somewhere and must be liable to tax.

The other point made was about harassment. I think there is only one culprit in the world today. The robber is a decent citizen; the people who charge high rates, for their services are very good people; I think every human being plying any trade or profession is a good man, excepting the tax-collector. He is the worst type of human being. I suppose, Sir, that in this House of five hundred Members, there are some people whose sons are in income-tax, or in excise or sales tax departments or maybe their brothers are, or their brothers-in-law, or somebody else in whom they are interested are. They may be employees, officers, or anybody. I refuse to believe this story, the story that is gaining currency almost as truth: "Oh, income-tax-harassment"'. Somebody told me yesterday: "the Finance Minister may be a Haris Chandra"—I am not a Haris Chandra—"But his officers are *Chandalas*". I do not know, I am afraid we must eliminate that word "*chandalas*". The real trouble about it is, we work ourselves up into a state of fury and we miss reason. The income tax officers, sales tax officers, excise officers, municipal bill collectors, all happen to be of the same flesh and blood as we are. They come from the same society, from the same strata. And, we are the honest people and they are the bad people.

Harassment: Who harasses? Nobody harasses a man who pays his tax. Why should there be any harassment of the rich man. Because the rich man must conceal? I do hope that it would be possible some time that we might lift the veil that now exists between the efforts that Government has to put forward for collecting taxes, and which they do not—hon. Members have just blamed them—and the attempts made by people to evade the taxes, namely, section 54 of the Income-tax Act. I do hope that sometime or the other Government will permit me to see at least that, after investigation, after assessment, we will be able to publish these figures.

I may also say that I am not making any reflection on any community. It is human nature to make mistakes. We might sometimes conceal an income without knowing about it. Sometimes we get Rs. 3 or Rs. 4. Your grandfather or somebody might have bought a share which is with you and somebody might be paying you Rs. 3. You give a return of Rs. 2000 and you may forget these Rs. 3. It is quite natural. Sometimes it is possible that you buy newspapers when you are in business and you charge it. I may say that it is for private purposes and, therefore, you should not charge. It is quite likely.

I do not think that many hon. Members do know that respectable people agree that they have evaded taxation, and then want to settle. It happens. So far as the Finance Minister is concerned, unfortunately, if he

does not become a cynic he must be a superman.

Who is harassing whom, I do not know. This unfortunate man who gets Rs. 400 starts at Rs. 350, stops at Rs. 350 for two years, gets Rs. 380 for two years and so on. He cannot get a house unless somebody befriends him and the moment somebody writes an anonymous letter his position is at stake. That man is not harassed, and the man who harasses him, who has influence, who can wield influence over the entire society, is not the man who harasses. I do not know who harasses and who is the harassed. I think, if I were a tax gatherer I will feel I am the most harassed person in the world. Maybe, even as Finance Minister I feel I am pretty harassed. The point arises whether harassment is a word that has been coined ever since the unfortunate day, 15th of May, when I brought in the expenditure tax. That is the author, and so far as the children hereafter are concerned, they are the wealth tax, income tax, expenditure tax and sales tax collectors, and the rest of the humanity are all angels. I do not believe in it. Why should there be any harassment?

Somebody said, give a formula. Yes, formula can be given. But it cannot be statutorily established. Once you have a formulla laid down, as some hon. friends say, you have to take a man's accounts of the previous year. Yes, I will take if his accounts are real. I can take anybody's account for the previous year, what wealth he had, what income he got and what expenditure he has made, what wealth he has, then assess the difference and treat it as expenditure. But only on one condition; if only you can say that the wealth is real and the income is real. If these two things are real then there is no difficulty at all. The formula can easily be adopted. But, if you adopt a formula knowing that both those figures are wrong and would not be real—that is our present trouble—what is the use of having a formula? You only give it a statutory place here. That means anybody who produces a figure like that and if the tax gatherer says that it is not correct, his wealth is much more and that he has concealed his income and also that he has spent more than what he has shown, we must go to court as the law prescribes it and the income-tax officer has no discretion. Therefore, a formula is not possible.

Harassment is a relative word. If there is somebody who refuses to disclose or perpetually goes on evading taxes, naturally you have to ask him to furnish fresh returns, go into his books and so on. I do not think that income-tax officers are not un-reasonable. I do not even deny that some of them are corrupt. But, if a poor income-tax officer becomes corrupt somebody is corrupting him. In spite of the fact that we have our Penal Code re-drafted, we still think of the unfortunate person who, because of necessities of life, might perhaps yield to temptation, and the tempter is never taken to task.

In most of these cases of corruption, if there are 100 cases of corruption which can be proved not even 5 per cent of the cases are cases where a man is very wealthy and is very corrupt. In the case of an officer it is because he is a middle-class man, ho finds it very difficult to carry on, he has probably got a child ill at home and various other troubles. Therefore, there is no question of a unilateral judgment on a set of officers and branding them as being corrupt or being people who harass. I do not think it does any good. After all, Parliament throws certain responsibility on Government. Parliament wants certain things to be done. We have to collect the taxes, we have to see that accounts are properly maintained. We have to see that a certain amount of money goes to the Exchequer and a certain amount goes into investment. It is not possible without a bureaucracy, and I deprecate very strongly this universal condemnation of the tax collecting machi-

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nery, which you want should do all the work that you want it to do.

The hon. Member, Shri Masani said, "You are not collecting your income tax properly, you do not need it". If it is purely a revenue consideration I admit it. Why does he not tell me how to collect it properly? He is a consultant for business firms. Why does he not tell the business firms that they should not evade any tax and that they should pay all taxes? Then there is no difficulty at all. I am perfectly sure, if all our taxes are properly collected we will get far more than we expect to get by way of expenditure tax and wealth tax. It is true.

So, the argument on this side of the House, namely, that this Bill is infructuous and will not yield any money has no basis; otherwise they won't object to it. If it is not going to yield any money, why do you worry about it. You object to it merely because it is going to yield money. You object to it because a person is not getting his freedom. And, who are the persons? The hon. Member Shri Khadilkar mentioned how many persons will be affected. It may be 8, 10, 20, 25 or even 50,000. In a population of 370 millons, what does it matter, if it is ultimately going to do some good?

It is no use my quoting Kaldor or Keynes. Of course, my hon. friend Dr. Krishnaswamy is a very well-read person and he can quote. I can also quote. For that matter, today quoting is not at all necessary. You take Kaldor's book and read the preface; all the quotations that are necessary are there.

An Hon. Member: Even a devil can quote

Shri T. T. Krishnamachari: Leave alone the devil and the scripture. I am merely speaking of Kaldor's book on expenditure tax. You read the preface and you will get all the quotations that are necessary; you don't have to go and read the books at all. You start with John Stuart Mill and his ideas of income-tax not being an equitable tax. Then you go on to the Calvin Committee, Mill's evidence before the Select Committee, the theories propounded by Marshall and Pigou, then Fisher, then Keynes himself and thereafter you can go on to many other people. Of course, Keynes who, undoubtedly, is the cleverest economist, or economic brain, has been produced in England. Unfortunately, he was a liberal. He was prepared to go up to a particular point about regulation and then he stopped. If Keynes had lived today, I think he probably would have been far more progressive than even Kaldor and, perhaps, even Gohen He says it is theoretically sound but practically impossible. But, who is the person who has tried it and found it practically impossible?

On the question of quoting, I once quoted Kautilya for the fun of it because they think I am an ignoramus. I have also read Kautilya, I said, and nothing more about it. I do not claim that there is something wonderful. The idea of keeping accounts, knowing about expenditure is something which is not 100 years or 200 years old; it goes into the days of ancient wisdom. My hon. friend might say that Kautilya is something like a Machiavelli I do not know. He probably was or, he probably was not. I do not think I will quote Kalidasa against Kautilya. Excepting that the 'K' is there, there is nothing else in common between the two.

I would not quota Kalidas; he is a person who is delectable but not serious. So, this is something very serious. Therefore, I come back to the original charge. So far as those people who object to the watering

down of some provisions, I can tell them that intellectually I am with them. But as a practical proposition, as my friend Shri Morarka said, let us accept the position as it is. It can be improved. We can sit together for two months and think of modifications, and we can alter and polish it. There is time for it. We have got four and a half years more. We should be here for four and a half years normally.

An hon. Member: God willing.

Shri T. T. Krishnamachari: God willing, of course. That is always there. We sit here for four and a half years; we can polish it and we can find out what is wrong. We may perhaps alter it one way or the other. I am not saying I will be bringing in a new tax. I am not even willing to alter the rate. Supposing I am here, we will certainly resist any alteration of the rate of taxation. But I am certainly prepared to consider any amendment that is necessary as a result of our experience and study of how evasion is taking place, etc. If the people develop a certain amount of tolerance for this tax, they should support perhaps spending a little more. Let them spend a little more. In probably two or three years, we may think of a higher rate or there may be other things that we might think of. Therefore, my plea to the hon. Members who want a change to be made in the direction of tightening up of this measure, with which, I say, intellectually I am in entire agreement, is this. I may quote again Mr. Keynes and say, it is practically not very wise to tighten it up further at this stage.

To those who want further elongation of these concessions which I have mentioned in clauses (5) and (6) I would only tell them, 'do not make it a little more ridiculous than what it is'. The other position is, supposing the inconvenience is there, supposing my friend Shri Kamal Singh finds it very difficult, will he agree that Rs. 60,000 is the limit?

Shri Prabhat Kar (Hoogly): So, the Finance Minister agrees that it is ridiculous already and he does not want it to become more ridiculous.

Shri T. T. Krishnamachari: The point is, I am speaking very frankly perhaps. I have not got a written script this time, but I am more or less thinking aloud. If the hon. Members want to take advantage of something that I have said, I would not deny them that liberty. The point is, supposing you want to spend Rs. 60,000, would Shri Kamal Singh agree that it would be adequate? Supposing, instead of Rs. 30,000 it is Rs. 60,000, I will say, "all right", but you will pay an additional income-tax of Rs. 6,000, for which you are given some concession if you are a man who earns. Therefore, I do not think there is anything very serious. If you want to spend Rs. 60,000, you will have to pay a tax of Rs. 6,000. If somebody is very ill, and has the money and spends Rs. 15,000, he can spend it, for the illness, apart from the fact that you can save a little out of the Rs. 30,000. If he wants to spend Rs. 20,000 instead of Rs. 15,000, he has to find only Rs. 5,000 more. Nothing more than that. So, I will tell the hon. Members here, those who say that it is going to do no good and who, at the same time, object, saying that inconvenience is caused, that the tax element in the first two slabs or three slabs is very small. Please accept it and give it a trial.

So far as the amendments are concerned, I would like here to state, at the outset, that any verbal amendments might be accepted. For instance, an hon. Member said: "why should Rs. 8,000 be given for people who go abroad for education and why should it be confined to one person only?" Supposing two people use it; of course, two children go and use up Rs. 8,000 instead of one child going. The Foreign Exchange Regulations Act will not be able to tighten down this. When Rs. 8,000 is the ceiling, why should one person alone go? Well, two children can use it. I have no objection—

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none whatever. Maybe a boy has got a scholarship and he wants Rs. 2,000, if you cannot spare it out of Rs. 30,000, you can spend it from the Rs. 8,000. You can take away the 'one' there. I have no objection.

There is another matter. Muslim friends occasionally go to Haj, spending moneys provided by Trusts which are outside India. People do go to Haj but I do not think a man who goes to Haj is ordinarily a person who has got more than Rs. 30,000 as net income. Maybe, if he has that income, he is not going to bother about it anyway. He may charter a plane and go, though he will have to pay a very big tax. But assuming there is a sentiment in the former type of case I will certainly say that we should make rules that in case tax is attracted—which will not be attracted—this matter could be considered. My friend says, "I have given money for people to go to Haj through the Trust. It is not really intended for my purpose." Yes. Sikhs go to Gurdwaras and some go to Pakistan. The Christians go to Rome and on a pilgrimage to St. Luke or something else. A provision can be made in respect of people giving money to such Trusts and they have to be accommodated. The amendment in this regard, brought forward by Shri Jaganatha Rao, is permissible and I accept it.

I therefore beg of this House to give this measure more or less a trial, and to the extent that it will be administratively possible for us, we will see that harassment is not there. But it comes here and there. We will try our best. The new wealth-tax, the expenditure-tax, etc., are increasing the area of the tax administration, and we have to take particular care to see that the tax-collector is polite. When he has got to ask people to show their books to him, he has got to do so politely. In the case of the rich people, if it is necessary, provided they pay Rs. 5, I will ask the assessee to send an application, with Rs. 5 as stamp, so that the income-tax officer could sit with the rich man and check the accounts at the home of the man. I am quite prepared to do it. It means Rs. 5 or Rs. 10 more. The income-tax officer, instead of calling him to his office, should visit him, provided he is free and it is not before 8 o'clock in the morning. I am prepared to make an amendment in the Tax Act . . .

Mr. Deputy-Speaker: That they would not cherish.

Shri T. T. Krishnamachari: The point is, if a person is ill, the Registrar's office charges Rs. 20 and they go to the person. Similarly, I can make a provision for those rich people who cannot afford to go or for those people who are ill. I can ask the income-tax officer to go to the house of the person who is rich or who is ill, wait and check, provided the man pays a stamp-fee. There is no difficulty at all. We will try as far as possible to accommodate the people who are powerful, and influential and who are rich and who are prepared to pay for service which we can give, by asking our collectors to go to their houses. I can assure the House that I shall try to the best of my ability to see that my officers are polite—I shall ask them to be polite—and not to harass, but, at the same time, public opinion in this country must tell the people that harassment from income-tax officers is a one-sided affair. The harassment is also from the rich men. After all, the poor income-tax officer or the Assistant Commissioner of Income-tax are generally people of the middle-class, they are afraid of the rich people; one should protect them from the wrath of the rich. Even a person like the Finance Minister is exposed to the wrath of the rich; what then is a poor income-tax officer to do? If you protect the officer from the wrath of the rich, I am prepared to ask him to be as polite as is necessary, and as circumstances warrant it, to the tax-payers.

Having said this, I hope the hon. Members will not take it that I have been discourteous or even impertinent in not replying to the various points raised, because, they all fall into two classifications. I have dealt with the classifications. I hope the House will accept the motion for consideration of the Bill and pass the Bill fairly quickly.

Mr. Deputy-Speaker: I shall put the motion to the vote of the House.

The question is:

"That the Bill to provide for the levy of a tax on expenditure, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clause 2.— (*Definitions*)

Shri Narayanankutty Menon: I beg to move:

Page 1, line 28

omit "or mainly"

Shri Supakar: I beg to move:

Page 1, line 28

after "child" *insert*

"or parents, grant parents and widowed sister with no income of their *own*".

Pandit Thakur Das Bhargava: I beg to move:

(i) Page 2

omit lines 1 to 5.

(ii) Page 1, line 28

for "child" *substitute* "children".

(iii) Page 2, line 7

omit "a".

Shri S. Ghose (Burdwan): I have amendment to clause 1.

Mr. Deputy-Speaker: I am not taking clause 1 now.

Shri Yadav (Barabanki): I have amendments Nos. 9, 10, 11, 13.

Mr. Deputy-Speaker: They are not under clause 2.

Shri S. Ghose: I have two amendments to clause 2. Nos. 160 and 161.

I beg to move:

(i) Page 1, line 12

add at the *end*:

"and who must be a person having knowledge of law or a practising lawyer of at least five years' standing".

(ii) Page 2, lines 10 and 11

after "authorised" *insert* "exclusively".

Mr. Deputy-Speaker: All these amendments are before the House.

Now discussion on clause 2.

Shri Narayanankutty Menon: I have moved an amendment seeking to substitute "1957" for "1958" in clause 2. By putting 1958, an extraordinary method of taxation is adopted. The Finance Minister says that sufficient notice should be given before it goes to the proceeds of the tax. In contradiction to the other measures of taxation, especially in the case of the Expenditure Tax Bill, the Finance Minister proposes to give notice to those who are going to spend not less than Rs. 30,000. He is giving a year for them to get accustomed to pay the tax.

The Finance Minister said on the floor of the House that the Expenditure-Tax Bill and the Wealth-Tax Bill have been drawn up as a composite tax structure, along with the additional excise duties he has announced. It is quite understandable that when the ordinary man has not only begun to pay the additional excise duties—as a result of the impact of the additional excise duties on the market, prices of these articles have gone sky high—why the expenditure tax alone should be postponed to the year 1958.

Mr. Deputy-Speaker: On which amendment is he speaking?

Shri Narayanankutty Menon: Amendment No. 7.

Mr. Deputy-Speaker: Amendment No. 7 is not this amendment.

Shri Narayanankutty Menon: I am sorry; it is amendment No. 6.

Mr. Deputy-Speaker: I am sorry I shall have to rule out of order amendment No. 6. It reads:

for "1st day of April, 1957" *substitute* "1st day of April, 1958."

It is to clause 1.

Shri Narayanankutty Menon: I am sorry; amendment No. 6 is to clause 1 and not clause 2.

Pandit Thakur Das Bhargava: So far as amendment No. 54 is concerned, it goes to suggest that the Hindu undivided family as such should not be included in the category of taxable entities. I just read out from Kaldor and Kautilya sometimes back that individuals should be taxed and not families or collections of men, for the simple reason which I have given . . .

The Deputy Minister of Finance (Shri B. R. Bhagat): This is also to clause 1.

Pandit Thakur Das Bhargava: Amendment No. 54 is to clause 2.

Mr. Deputy-Speaker: It is all right; it is to clause 2.

Pandit Thakur Das Bhargava: I have said that the words "Hindu undivided family" should be omitted, so that they may not be taxed at all. Individuals may be taxed. I have quoted authorities like Kaldor and Kautilya that individual may be taxed and not collections of men. If collections of men are to be taxed, different criteria are there. Expenditure is usually incurred by persons for themselves or for others who are dependent on them. So far as the Hindu undivided family is concerned, the others are not dependent on the *karta*. If there are 4 brothers and 1 *karta*, the *karta* is only a manager. Otherwise, the other persons are as good coparceners as the *karta* and he cannot be treated differently from the others, so far as the rights of property are concerned. The entire thing is misconceived that the *karta* of the family should get Rs. 30,000 allowance and the other only Rs. 3,000.

I think the Finance Minister has not fully followed the tenets of Hindu law and he has not applied that law. I fear that all these references to the Hindu undivided family are out of tune with the law on the subject. Therefore, my submission is, it will be of no use to include the Hindu undivided family. Suppose all these persons who constitute a Hindu joint family are taxed as individuals; what would be the rule? I see that so far as this Bill is concerned, apart from the fact that the Hindu undivided family is included as a taxable category, every individual also will be liable to tax. But the difficulty is that they want to tax the individuals in the Hindu joint family on a different scale. It is discriminatory Under article 14 of the Constitution as well as under the ordinary law of the land, every person must be treated in the same way. Every person is equal before law. You allow Rs. 30,000 for the *karta* of the Hindu joint family, but you allow only Rs. 3,000 for every other coparcener. It is entirely unjust.

Apart from the fact that the Hindu joint family should not be a subject-matter of income-tax according to the authorities cited by the hon. Minister. I believe the whole of this law is too much discriminatory and there is no reason why you should make a distinction between man and man. On all these grounds, I think it is unjust to include the Hindu joint family in this category.

I know the hon. Finance Minister has been pleased to say that a committee will be appointed. But I submit it is entirely wrong to postpone this committee and go on taxing the people. If you feel that it is unjust, that there is a case for the appointment of a committee, why don't you appoint the committee today, so that people may not be unnecessarily taxed? I do not understand why this matter should be deferred and linked with the appoint-

ment of a committee on income-tax. This was the reply which the British Finance Minister to give. A Congress Finance Minister should have better. He has got a Constitution to follow. He is bound by article 14. If he feels that it requires scrutiny, it is for him to start the committee today and not just penalise the people and tax them in this discriminatory manner.

I would, therefore, very humbly make this submission to the House. I am not asking for any concession whatsoever. I only want that every Hindu in this land should be treated like his brother, Christian, Muslim and others. Why do you penalise the Hindus, Sikhs and the Jains? I do not understand it. If it is a secular State, let them all be treated in the same way. This pretence of having a Hindu joint family is neither just nor plausible. What happens to the Hindu joint families in Bengal? Bengal is not bound by Mitakshara. The law there is quite different. Every person has got definite portions of property. You apply the same law to the Hindu undivided families in Bengal and other places. It is wholly unjust. The difficulty is that in your blind greed for money, you do not see the injustice of it. It is not as if you do not know; you do know, but you close your eyes like a cat.

Mr. Deputy-Speaker: Certainly, I am not to blame.

Pandit Thakur Das Bhargava: It has gone on for 80 years and the blame is not still less . . .

Mr. Deputy-Speaker: It should not be laid on me.

Pandit Thakur Das Bhargava: I am not blaming you; you are one of the victims.

Mr. Deputy-Speaker: I only wanted to attract the attention of the hon. Member towards myself.

Pandit Thakur Das Bhargava: If you were here with us, you would advocate this cause more forcibly and more vigorously than I personally can. I am a humble instrument to express the real inequity of this discriminatory taxation. I would very humbly request the hon. Finance Minister, through you, to rise to the occasion and do justice to these aggrieved people, who have been prejudiced during the last 80 years and do them justice.

15 hrs.

Shri S. Ghose: I have given two amendments, Nos. 160 and 161. I am only concerned with the process of realisation of the tax. If the tax is there there should be a process of realisation on the basis of this Act. The Finance Minister seems to be not very serious about this tax. He says, "I will not be sorry even if a pie is not realised, but it will encourage saving." I think that is too big an optimism to be shared. There are so many loopholes and lacunae in this measure. But for the unwisdom of the framing of this measure I think the spirit of spending would not have found a temptation or opportunity. It is for this reason that I suggest that the officer to be appointed, namely, the Appellate Assistant Commissioner, should have some legal knowledge, because it is expected that a man will pay income-tax, it is also expected that he will be hauled up also for payment of wealth-tax and expenditure-tax, and he will try to do away with this thing by the creation of a "one account book". If one account book is produced before the officer and if the officer believes some portion of it and it becomes sacrosanct, afterwards it will be used for the purpose of the wealth-tax and the expenditure-tax also. As such, I submit that to detect what is within that account book some amount of legal knowledge is necessary. Some novice should not be placed there. A person having legal knowledge or legal training should be appointed as the officer, so that he might detect what is within this account book. Therefore I have suggested that the officer must have legal training or must be a lawyer of five years' standing. That is one thing.

Secondly, so far as the Expenditure-tax officer is concerned I have suggest-

[Shri S. Ghose]

ed an amendment which seeks to add one word. I have said that "Expenditure-tax officer" means the Income-tax Officer authorised exclusively to perform the functions of an Expenditure-tax Officer under section 7. I want only to add the word "exclusively", because if one officer is appointed for assessment of the income-tax as well as the assessment of the wealth-tax and the assessment of the expenditure-tax, I submit that he will be unable to perform all these duties. And the other question will come in, that when one account book is produced that will be used in all the three cases, namely, for income-tax, wealth-tax and expenditure-tax. Once the officer takes that into account and believes some portion of it and disbelieves some other portion, naturally the same thing will be used also for wealth-tax and expenditure-tax. But if the officer is appointed exclusively for assessment of expenditure-tax, in that case he will be able to take a dispassionate view of the matter.

Mr. Deputy-Speaker: Why should it mean Income-tax officer in that case? Then it would be an Expenditure-tax officer.

Shri S. Ghose: My submission is that an Income-tax officer should not be the Expenditure-tax officer also. He should exclusively perform the duties of Expenditure-tax officer. He might be of the grade of an Income-tax officer, but he must be discharging the duty exclusively of the Expenditure-tax officer. Otherwise, if he is to discharge all the three duties, namely, the duty of the Income-tax officer, that of the Wealth-tax officer and that of the Expenditure-tax officer, then he will not be in a position to take a dispassionate view. Once the account book is shown to him as Income-tax officer and he believes some portion of it and disbelieves some other portion, he will again take that into consideration as Wealth-tax officer or as Expenditure-tax officer. It is for this reason I say that the duties should be separated and he should exclusively discharge the duties of an Expenditure-tax officer so that he will be in a position to take a dispassionate view. I have therefore submitted an amendment to insert the word "exclusively" here and that is inoffensive. So far as the Bill is concerned it does not take away the spirit of the Bill; rather it will help the process of realisation if the Finance Minister really means business. That is all my submission.

Shri B. R. Bhagat: Mr. Deputy-Speaker, I confess that I cannot convince the hon. Member who spoke on this Hindu undivided family, because this is a larger issue and actually what he wants is that the Hindu undivided family should not be brought within the purview of this expenditure-tax. He wants it to be treated separately; that means there should be a discrimination in favour of it. And that is why incidentally by his amendment he wants that all coparceners and other members of the Hindu undivided family entitled to maintenance should not be brought under this definition. Actually what he wants is a complete exemption to the Hindu undivided family. As I have said, I cannot agree to that because one of the objects of the Bill is to check wasteful and extravagant expenditure from whatever quarter it may come, whether it will be an individual, society or Hindu undivided family or firm or company. So if we give this exemption I think it will be a discrimination. I do not know, I cannot join issue with him . . .

Pandit Thakur Das Bhargava: If we look to clause 3, firm or company is not included here.

Shri B. R. Bhagat: I am sorry; not firm or company, but Hindu undivided family and the individual. What I say is that according to us the Hindu undivided family is a great unit. If we exclude it, much of the expenditure-tax will go and it will provide greater scope for evasion of the tax, and the object of checking wasteful and extravagant expenditure will be defeated. So I am not in a position to accept his amendment.

As regards the amendments of Mr. S. Ghose, the first one is that he wants that all the Assistant Appellate Commissioners of Expenditure-tax should be knowledgeable persons of law having at least five years' practice. At present all Assistant Appellate Commissioners are appointed by promotion of senior Income-tax Officers. They possess all the necessary knowledge and qualifications required for functioning as appellate authority. So I do not think that any special purpose would be served by this. They have all the technical qualifications to discharge their duties.

As regards the other amendment of inserting the word "exclusively", I think it will create a big administrative problem, because then we will have to have a separate administration. At present it is integrated. There is an advantage of integrating this administration with the Income-tax administration and the Wealth-tax administration. It is of great advantage that the same person does it, because the tax pattern is an integrated structure. So it is better that the same person does all the assessment. If the load of the work is enormous, well, we can think of bifurcating it. At present it is a new measure. Let us wait for experience. So I am not in a position to accept any of these amendments.

Mr. Deputy-Speaker: If no amendment is being accepted I shall put all the amendments, Nos. 7, 168, 54, 68, 69, 160 and 161 to vote. The question is:

Page 1, line 28—

omit "or mainly".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 1, line 28,—

after "child" *insert* "or parents, grand parents and widowed sister with no income of their own"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2,—

omit lines 1 to 5.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 1, line 28,—

for "child" *substitute* "children".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2, line 7,—

omit "a".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 1, line 12,—

add at the end—

"and who must be a person having knowledge of law or a practising lawyer of at least five years' standing".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 2, lines 10 and 11,—

after "authorised" *insert* "exclusively".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3. *(Charge of expenditure-tax)*

Shri Prabhat Kar: I wish to move amendment 40.

Mr. Deputy-Speaker: That is out of order.

Pandit Thakur Das Bhargava: I beg to move other amendments:

(i) Page 2, line 35,—
omit "or Hindu undivided family"

(ii) Page 3, line 1,—
add at the end:
"in the case of an individual and rupees one lac and eight thousand in the case of Hindu undivided family"

(iii) Page 3, line 1,—
add at the end:
"in the case of an individual and rupees seventy-two thousand in the case of Hindu undivided family"

Shri M. C. Jain: I wish to move amendment 169.

Mr. Deputy-Speaker: That is also out of order. Similarly, amendments 9, 113 and 8 are also out of order.

Shri M. C. Jain: May I know the reason why my amendment is out of order.

Mr. Deputy-Speaker: The same reason applies to all. It seeks to bring down the exemption limit. Therefore, tax would be increased and it would require the President's recommendation.

Amendments moved:

(i) Page 2, line 35—
omit "or Hindu undivided family"

(ii) Page 3, line 1—
add at the end:
"In the case of an individual and rupees one lac and eight thousand in the case of Hindu undivided family"

(iii) Page 3, line 1—
add at the end:
"in the case of an individual and rupees seventy-two thousand in the case of Hindu undivided family"

Pandit Thakur Das Bhargava: My amendment for exemption of the Hindu undivided family has not been accepted by the hon. Minister, and I can understand very well why he is not in a position to accept it. He may have been convinced by the arguments, by the reasons which he has been pleased to give us, namely that this will really reduce the amount of tax which he hopes to gather. This is a good ground so far as the Five Year Plan is concerned. It is because of this that I am myself supporting this measure. Otherwise, I would have opposed this measure tooth and nail.

Now I do not want to get the Hindu undivided family exempted on this score, but I beg of him to be kindly logical. If in income-tax he has put a limit of Rs. 6,000 on Hindu undivided families and Rs. 3,000 on Individuals, if in the wealth tax he has set Rs. 4 lakhs as the limit for the Hindu undivided family and Rs. 2 lakhs for the individual, may I ask him why, if he fixed the limit at Rs. 36,000 for individuals, he cannot fix the limit at Rs. 72,000 for the Hindu undivided family?

I have given the history several times in this House. The Income-tax Investigation Commission itself went into this matter and said that in regard to families which consisted of more than three or four members, the limit was three times. As such, Rs. 12,600 was the limit for taxing Hindu undivided families so far as income-tax is concerned. And previous to that, even in British times, for super tax it was Rs. 75,000 for Hindu undivided family and Rs. 50,000 for individuals. May I ask him why he has put this limit of Rs. 36,000 both for individuals and Hindu joint families? If there are ten persons in a family, the rule is the same as for one individual.

Similarly, so far as the provision for medical relief is concerned, the same amount of Rs. 5,000 is allowed for an individual as also to a Hindu undivided family though it may consist of 20 persons. Similarly, so far as foreign education etc., are concerned, there is the same limit. They

are not under clause 3. I am referring to certain provisions which are under clauses 5 and 6, but they are of the same nature. I am referring to them here so that I may not give the House the trouble of listening to me again on this point. I am not going to move them if this amendment is not accepted, because the reason is the same. Therefore, I would beg of him not to care for money alone, but be logical in what he does. If he accepts the logic of my argument, then let him not accept Rs. 1,08,000 but at least Rs. 72,000 as the taxation limit for the Hindu undivided family.

श्री झुनझुनवाला (भागलपुर) उपाध्यक्ष महोदय, हमारे पंडित ठाकुर दास भार्गव जी हिन्दू अनडिवाइडिड फैमिली के बारे में बहुत बोले है और बार बार बोल रहे है। उनका कहना यह है कि हिन्दू अनडिवाइडिड फैमिली के साथ जो अन्याय हो रहा है, उसको खत्म किया जाए और उन का आप से यह पूछना है कि क्या कारण है वह अभी भी हो रहा है और उस को आप बन्द क्यों नही करते है। क्या कारण है कि हमारी सरकार इस की ओर ध्यान नही देती है? क्यो हिन्दू अनडिवाइडिड फैमिली की सफरिंगस को दूर करने का प्रयत्न नही किया जाता है? हमारे डिप्टी मिनिस्टर साहब ने अभी कहा कि वह इन मांग के साथ सहमत होने में मजबूर है। मै जानना चाहूगा कि आपकी मजबूर की क्या वजह है? अभी पडित ठाकुर दास भार्गव जी ने कहा कि आप इनकम टैक्स में लिमिट को दुगुना कर देते है लेकिन क्या कारण है कि यहा पर आप ३६,००० की लिमिट को बढा कर ७२,००० नही कर सकते है? इस के साथ एग्री करने में आप को क्या हर्ज है? आप यह कहते है कि हिन्दू अनडिवाइडिड फैमिली के बारे में जितने भी कानून है उनको बदलने के लिये एक कमेटी एप्वाइन्ट करनी पड़ेगी और वह सारे मसले को तय करेगी तथा जो सिद्धान्त आज तक लागू किया गया है उसको बदलना पड़ेगा। इस समय हमारे विधि मंत्री जी भी यहां बैठे हुए है। मैं उन से पूछना चाहता हूं कि क्या यह हिन्दू अनडिवाइडिड फैमिली के साथ अन्याय नहीं हो रहा है। इनकम टैक्स में, स्टेट ड्यूटी में तथा दूसरे टैक्सों में जहां आप ने दुगुने की लिमिट रखी है तो यहां पर भी क्यों आप दुगुना नही रखते है! आप हिन्दू अनडिवाइडिड फैमिली के खर्चे को देखिये, मैडिकल एक्सपेंसिस को देखिये तथा दूसरी चीजो को देखिये, आप को पता चलेगा कि उन पर भारी बोझा है। हिन्दू अनडिवाइडिड फैमिली में एक प्रणाली चली आई है जिस के अन्तर्गत वे अपने डिपेंडेंटस पर बराबर खर्चा करते है। और उनका बराबर पोषण करते हैं चाहे एक आदमी हो चाहे एक से अधिक हों सब पर बराबर खर्च होता है। मैं कहना चाहता हू कि एक हिन्दू अनडिवाइडिड फैमिली में जितने भी डिपेंडेंटस हों उन सब के लिये आपको कोई खास प्रबन्ध करना चाहिये और जो मांग हमारे भाई ठाकुर दास जी ने रखी है उसको मंजूर करना चाहिये जब आप यह कहते है कि समूचे कानून को बदलने की आवश्यकता है और इस के लिये एक कमेटी बिठानी होगी तो इस का मतलब यह नही है कि आप रिलीफ न दें। आप रिलीफ दे सकते है और बाद में कमेटी की स्थापना भी कर सकते है। इनकम टैक्स ऐक्ट मे आपने रिलीफ दे रखा है, स्टेट ड्यूटी मे आप ने रिलीफ दे रखा है, तथा दूसरी चीजो मे आप ने रिलीफ दे रखा है, यहा पर अगर आप देंगे तो यह कोई हर्ज की बात नहीं होगी। वह कौन सा लाजिक है जिस के तहत आज आप इस चीज को मानने में मजबूर हैं, यह मै जानना चाहूंगा। आज तक आप अन्याय करते आए और अब भी कर रहे है यह ठीक नहीं है। अब इस एक्सपेंडीचर टैक्स में इस अन्याय को परपैचुएट करना मुनासिब नहीं है। मैं आशा करता हूं कि इस पर आप

[श्री झुनझुनवाला]

विचार करेंगे और जैसा अन्य कानूनों में है, जैसा इनकम टैक्स में है, जैसा एस्टेट ड्यूटी में है, उसी प्रकार यहां भी आप इस लिमिट को बढ़ा देंगे ।

Shri Nathwani (Sorath): I wanted to say a few words about the proviso, but before I do so I feel that the demand made by Pandit Thakur Das Bhargava is justified, and if even at this late stage something can be done to accommodate his point of view, I shall feel happy.

At the earlier stage it was argued that this proviso was unnecessary, but we have passed that stage. In my opinion there are good reasons at least in the initial stage why we should have a proviso like this. The proviso contains a certain principle, namely that the liability to pay expenditure tax should be determined with reference to a man's income, but I want to say something about the change that the Select Committee, has made in this proviso. No Member has referred to all the implications of the change made by the Select Committee.

I am glad the hon. Minister of Law is present and he will give his attention to the point I wish to make. This is not merely a new Act but one of a novel kind and in course of time, we are likely to revise the provisions of this in the light of experience gained. The proviso, as it stands now, says that a person whose income from all sources exceeds Rs. 36,000 is liable to pay expenditure tax In the original proviso, the reference was to the total income under the Income tax Act. All hon. Members have assumed that the present change has widened the scope of this proviso. I wish it were so, but it is not necessarily so. It is now said that income from all sources would include items of income which were excluded under the Income tax Act. They refer to agricultural income, to casual income of a non-recurring nature and so on. I do admit that in this respect the scope of the proviso in enlarged, but it is not one way only. Certain items of receipts which were included under the Income tax Act will now be excluded from this proviso, as it stands. I want to know whether "income from all sources" would include capital gains I want to know whether income would include income from property transferred by a person in favour of his wife or minor children. That, according to me, would not be covered by this. Further to have a net income of Rs 36,000 a person should have a total unearned income of Rs. 72,000 and not Rs. 60,000 under the Income tax Act.

There is one more thing Whereas there was certainly under the original proviso of calculating the total income under the Income-tax Act, an element of uncertainty is now introduced. We do not know what the exact connotation of the word 'income' is 'Income' is a term of wide and vague connotation So far as the Income tax Act is concerned, income includes several receipts which would not otherwise be included by its ordinary natural meaning It also defines total income, and total income is to be computed in the manner prescribed by that Act.

Here under this legislation, we have not got any definition of 'income' or how it has to be computed. Therefore, in the working of this proviso, there would be more difficulty. Whereas under the Income tax Act we would have the convenience of finding out what the total income is, the question is now left to be determined by judicial interpretation, whether income would include capital gains or not. If we had adopted the criterion of total income under the Income tax Act and if we had said that so far as this proviso was

concerned, total income would include agricultural income, would also include casual income and perhaps would not cover or include development rebate, our purpose would have been served, and by that we would reduce the administrative burden which we are putting on the administrative machinery.

This is all I have to say as regards this proviso. I do not know what the reaction of the Deputy Minister is, but in future if any occasion arises, this aspect of the matter may well be looked after.

श्री मू० च० जैन: जनाब डिप्टी स्पीकर साहब, इस क्लाज के बारे में बोलते हुए मेरे मोअज्जिज दोस्त पंडित ठाकुर दास भार्गव ने हिन्दू खान्दान मुश्तर्का का बहुत जिक्र किया है। इस सिलसिले मे मैं यह कहना चाहता हूं कि जहा तक एक्स्पेंडिचर टैक्स बिल का ताल्लुक है, हिन्दू खान्दान मुश्तर्का के साथ कोई बदसलूकी नही की गई जिस के बारे म जोर दिया जाए। किसी भी दूसरे ऐक्ट मे हो सकता है कि बदसलूकी की गई हो, लेकिन इस बिल मे इसका जिक्र करना कोई रेलेवेंट बात नही है। मिसाल के तौर पर एक बात कही गई कि जब इंडिविजुअल (individual) पर जिस की आमदनी ३६,००० रु० से ज्यादा है, यह टैक्स लगाया जाता है तब हिन्दू खान्दान मुश्तर्का पर ७२,००० रु० की लिमिट क्यों न हो? मै समझता हू कि यह दलील कंफ्लेशस है, इस मेन्स मे कि यह टैक्स एक्सपेंडिचर पर है, और कानून मे कोई न कोई लोअर लिमिट तो मुकर्रर करनी ही थी, जिस के ऊपर जो आमदनी कमाते है उन को इस ऐक्ट की मिस्चीफ मे लाना था। जहा तक हिन्दू खान्दान मुश्तर्का का ताल्लुक था उनको रियायत का जरूरत थी, और वह रियायत दी गई। अगर एक आदमी (individual) ३०,००० रु० खर्च करता है और मुश्तर्का खान्दान के लिए भी यही इजाजत दी जाती कि वह ३०,००० रु० से ज्यादा खर्च नही कर सकता है, तब तो हिन्दू खान्दान मुश्तर्का के साथ ज्यादती थी, लेकिन मैं अपने दोस्त को हवाला दूं क्लाज ६, सब क्लाज एच, आइटेम २ का। उस के अन्दर जहां एक इंडिविजुअल को ३०,००० रु० का इजाजत दी गई है, जिस खर्च के बाद उस के ऊपर टैक्स लगेगा, वहां एक हिन्दू खान्दान मुश्तर्का को ६०,००० तक की इजाजत दी गई है, हर मैम्बर के लिए ३,००० रु०, लेकिन लिमिट ६०,००० रु० की मुकर्रर की गई है। जो रियायत कि मेरे लायक दोस्त के दिमाग में है कि हिन्दू खान्दान मुश्तर्का की डबल रियायत होनी चाहिए, वह बिल मे मौजूद है।

इसके अलावा उन्होंने कुछ और चीजों का हवाला दिया कि इस बिल मे बड़ा डिस्क्रिमिनेशन है हिन्दू खान्दान मुश्तर्का के साथ। लेकिन मै यहा एक और क्लाज का हवाला देना चाहता हूं। यानी क्लाज ५ का। मुझे बेसिकली इस रियायत मे एख्तलाफ है और वह यह है कि अगर कोई एलेक्शन लडे तो उस एलेक्शन का खर्च एग्जेम्ट किया गया है। लेकिन जहा तक हिन्दू खान्दान मुश्तर्का का ताल्लुक है आप सुन कर हैरान होंगे कि उस म हर मैम्बर के एलेक्शन एक्सपेंसेज एग्जेम्टेड है। जिस खान्दान मे दस या पद्रह मैम्बर है, सब के सब खडे हो जाए तो सब को एग्जेम्शन मिलेगा। यह कौन कम रियायत है? सब के लिए आम एग्जेमशन। हर जिस को एक इंडिविजुअल कहते है उस को भी शादी के लिये ५,००० रु० तक की इजाजत है लेकिन हिन्दू खान्दान मुश्तर्का के हर मैम्बर को ५,००० रु० की इजाजत है। क्या यह हिन्दू खा दान मुश्तर्का के लिये न्याय नही है। इस लिए मैं कहना चाहता हूं अपने फाईनेंस मिनिस्टर की तरफ से, जो कि यहा मौजूद नही हैं, कि इसमे कोई घबराने की बात नही है। जहां तक इस ऐक्ट का ताल्लुक है, इस एक्स्पेंडिचर टैक्स बिल में हिन्दू खान्दान मुश्तर्का के साथ बड़ी रियायत की गई है। जहां तक मेरा ताल्लुक है, मैं तो यह भी कहूंगा कि जो ६०,०००

[श्री मू० चं० जैन]

से ३६,००० करने की बात है इस क्लाज में उस मे शायद मेम्बरान को यह ख्याल हो, जैसा कि अभी मेरे लायक दोस्त ने कहा, कि इस कानून का स्कोप कुछ बढ़ गया है, लेकिन यह बात नहीं है, टैक्निकल सेन्स में शायद किसी का ध्यान हो सके, लेकिन हकीकत यह है कि पहले जो प्राविजन था उसमें इनकम टैक्स आदि सब के सब टैक्स शामिल थे। पहले इनकम टेक्स एक्ट के मुताबिक जो शख्स ६०,००० या उससे ज्यादा कमाता था, वह इस ऐक्ट की मिस्वीफ में आता था, लेकिन अब सेलेक्ट कमेटी ने जो अमेंडमेंट पेश किया है उस में वह टैक्स निकाल कर जिस की आमदनी ३६,००० रु० सालाना से अधिक होगी उस पर यह टैक्स लगगा। आम तौर पर जिस की आमदनी ६०,००० रु० होती है, उस पर इनकम टैक्स लगता है, सुपर टैक्स लगता है, सरचार्ज लगता है। अगर आप उस के फिगर्स लें, मैंने सुबह पूछा था, तो आप को पता चलेगा कि जो शख्स ६० हजार रु० सालाना कमाता है, उस पर २४,००० रु० सालाना टैक्स लग जाता है। इस तरह से भी ३६,००० रु० आ जाता है। अगर ६०,००० में से २४,००० निकाला जाए तो ३६,००० बच जाते हैं। इस लिए ऐसा समझना कि सेलेक्ट कमेटी ने इस बिल का स्कोप बढ़ा दिया है, और जहां पहले ५ या १० हजार लोगों पर इस का असर होता था, अब १५ या २० हजार आदमियों पर होगा, मैं इस को ठीक नहीं मानता। मुझे ताज्जुब होता है कि भार्गव साहब कहते हैं, और इतने सारे मैम्बर्स इस टैक्स का हवाला दे कर कहते हैं कि इस का यह असर होगा। मैं फिर कहना चाहता हूं कि आज मुल्क में एक प्रोपेगैन्डा चला हुआ है, इस देश के अमीरों की तरफ से, सरमायदारों की तरफ से कि इस वैल्थ टैक्स के लगने से, एक्स्पेंडिचर टैक्स के लगने से इनकम टैक्स आफिसर्स को इतने अख्यतयारात हो जाएंगे कि इस देश में पुलिस राज हो जाएगा। अगर जिन ५ या १० हजार लोगों पर इस टैक्स का असर होता है, उन में किसी की थोड़ी बहुत परेशानी हो जाए, किसी निकम्मे आफिसर के निकम्मे रवैये की वजह से तो इस का मतलब यह नहीं है कि यह ऐक्ट खराब है। वैसे मैं कहना चाहता हूं कि मेरे जैसे आदमी को, जो कि बरसों से इनकम टैक्स दे रहा है, कोई तकलीफ नहीं हुई। मेरे साथ किसी ने कोई शरारत नहीं की, न मेरे साथ कोई हैरेसमेंट हुआ न कोई खास परेशान करने वाली बात की गई। फिर अगर ६ या ७ हजार एसेसीज (assessees) में से २, ४ या ५ इनकम टैक्स आफिसरों के निकम्मेपन की वजह से कुछ लोग हैरास भी हो जाएं तो यह कहना कि पुलिस राज हो जाएगा, यह बड़ी गलत बात है। इस लिए जैसा क्लाज यह है, मैं उसकी पूरी ताईद करता हूं।

Shri Kamalnayan Bajaj (Wardha): I want to make a few observations.

Mr. Deputy-Speaker: I have to call up the hon. Minister. If one hon. Member has spoken and if that is to be replied, then that would be endless.

Shri B. R. Bhagat: Mr. Deputy-Speaker, actually the proviso to clause 3 defines what is called in legal parlance, the extent of taxable territory. It has nothing to do with the Hindu undivided family as such. And to say that because Rs. 30,000 operates both for an individual as well as a Hindu undivided family, therefore, there is no ligic because in the income-tax we have given some concession to the Hindu undivided family. We do not follow the same logic here. This particular clause was discussed very thoroughly and actually there are two points of view.

One view is that the whole proviso should be dropped and the other point of view is that the taxable limit, the limit from which the tax should operate should not be Rs. 36,000 but it

should be Rs. 24,000 or even less. After a good deal of dicussion, the Select Committee arrived at a happy compromise and I think there is wisdom in it and the House will accept it.

But the point I want to answer specifically is this because a charge has been laid at the door of Government that they have not been logical in keeping the same limit both for individual as well as the Hindu undivided family. I give an example how if we accept the amendment of the hon. Member it should be either Rs. 72,000 or Rs. 108,000 for a Hindu undivided family without any reference to the size of the coparcenary. What would happen? An individual with a wife and child will pay tax if he spends more than Rs. 36,000. But a Hindu undivided family—a family with a karta and his wife and a child will not pay any tax on spending more than Rs. 36,000 if the limit is Rs. 72,000 or Rs. 108,000. Actually, it will work in a very unscientific manner.

This clause must be read with clause 6 where we have provided the basic allowance of Rs. 30,000 and Rs. 3,000 for very additional coparcener up to Rs. 60,000 for every Hindu undivided family. We have made it more scientific and I think logic is with us and not with the amendments of the hon. Member who has moved that the allowance should be Rs. 72,000.

Shri Nathwani: The example given by the hon. Minister is not appropriate. If there are only two persons, only a man and his wife, they do not constitute a Hindu joint family owning joint property. The man is the sole owner.

Shri B. R. Bhagat: I accept that; but it was only as an example to prove that it would work to the detriment of the individual assessee.

As regards that legal point, the definition of income in the Income-tax Act or elsewhere, all these matters I am not in a position to the join issue with my hon. friend because I am not a lawyer. But, as a layman I can only say that certainly, the definition extends to include all non-recurring or casual incomes, even from agricultural sources; that is true. But I do not see the point how it will become difficult to operate this law in the matter of determining income. Normally, income is very clear. I do not think there is any difficulty about it. About the legal cannotation of the term, I am not in a position to say anything.

Shri Nathwani: I was referring to the point that has been sought to be made namely that the present proviso has enlarged the scope or it would increase the number of assessees. I did not say that it would be so necessarily.

Mr. Deputy-Speaker: There is no dispute.

Pandit Thakur Das Bhargava: I may be permitted to put a question. My friend put a question to the hon. Deputy Minister. In the Income-tax Act such income from properties which have been donated by a person to his wife and minor children are included for the purposes of the Act. My friend put a question whether such income will be income for the purposes of this Act also. He has not replied to that.

Shri B. B. Bhagat: The law speaks for itself. Certainly, transfers or other payments to wife and children are taken care of by other sections. The law speaks for itself

Mr. Deputy-Speaker: I am now putting amendments Nos. 55 to 57.

The question is:

Page 2, line 35—

omit "or Hindu undivided family".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 3, line 1—

add at the end:

"in the case of an individual and rupees one lac and eight

[Mr. Deputy Speaker]

thousand in the case of Hindu undivided family".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 3, line 1—

add at the end—

"in the case of an individual and rupees seventy-two thousand in the case of Hindu undivided family".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

That clause 3 stand part of the Bill.

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4—(*Amount to be included in taxable expenditure*)

Mr. Deputy-Speaker: Now, we take up clause 4. What are the amendments?

Shri Prabhat Kar: Sir, I want to move amendment No. 41

Shri Tangamani: Sir, I want to move amendment No. 114.

Shri Balasaheb Patil: Sir, I want to move amendments Nos 103 and 104.

Pandit Thakur Das Bhargava: I desire to move amendments Nos. 58, 59, 70 and 71.

Shri Siddiah: Sir, I want to move 135 and 136

Mr. Deputy-Speaker: 135 is the same as 41.

Shri M. C. Jain: I want to move No. 170.

Mr. Deputy-Speaker: It is the same as 41 and 135.

Shri Prabhat Kar: I beg to move:

Page 3, lines 14 and 15,—

omit "to the extent to which the amount of all such expenditure in the aggregate exceeds Rs. 5,000 in any year".

Shri Tangamani: I beg to move:

Page 3, lines 22 to 24,—

omit "incurred by any other person for or on behalf of the assessee by way of customary hospitality or".

Shri Balasaheb Patil: I beg to move:

(i) Page 3, line 20,—

omit "for the removal of doubts".

(ii) Page 3, line 24,—

omit "or which is of a trivial or inconsequential nature".

Pandit Thakur Das Bhargava: beg to move:

(i) Page 3, line 15—

add at the end—

"in the case of an individual and three times this amount in the case of Hindu undivided family".

(ii) Page 3, line 15—

add at the *end*—

"in the case of an individual and ten thousand in the case of Hindu undivided family".

(iii) Page 3, line 10—

omit "whether directly or indirectly".

(iv) Page 3, line 19—

omit "whether directly or indirectly".

Shri Siddiah: I beg to move:

Page 3, line 24—

add at the *end*:

"subject to maximum of rupees two thousand only."

Mr. Deputy-Speaker: All these amendments are before the House.

Shri Prabhat Kar: Sir, when a tax is levied it is with the expectation that

the revenue will increase. It is surprising to know that the Finance Minister replied in the first reading—I am sorry, in the opening speech he delivered—that: There will be no income; yet, I shall be satisfied because the restrictions that we want to impose on expenditure will be there. I would only point out that if this Bill does not yield any revenue that will mean excessive dodging to pay the expenditure tax.

It was pointed out that the Bill as it emerged from the Select Committee has whittled down the income. At certain stages, the concession is such that it sounds illogical. I am, at this stage only referring to clause 4. It is amazing how this clause appears in this Bill which has come from the Select Committee and how we are asked to pass it. If you read the clause you will find that expenditure which will be incurred by another person on behalf of the assessee, which expenditure the assessee would have otherwise made to the tune of Rs. 5,000 would be granted exemption.

For instance, clause 4(i) reads:

> "Any expenditure incurred, whether directly or indirectly by any person other than the assessee in respect of any obligation or personal requirement of the assessee or any of his dependents which, but for the expenditure having been incurred by that other person, would have been incurred by the assessee, to the extent to which the amount of all such expenditure in the aggregate exceeds Rs. 5,000 in any year;"

Now if the assessee would have spent that amount it would be taxable. If somebody else spent for him, there is exemption up to Rs. 5,000. I do not understand the logic of this particular clause that if a particular expenditure would be within the purview of the expenditure tax and would be liable to tax if it is spent by the assessee himself, that particular expenditure to the tune of Rs. 5,000 would get rebate if it is spent by somebody else.

Now it is not an ordinary type of expenditure. It has been said that but for the expenditure having been incurred by the other person it would have been incurred by the assessee. It is a personal expenditure. It is an obligatory expenditure. It would have been spent by the assessee. But if it is spent by somebody else, the assessee will get the relief to the tune of Rs. 5,000. It is a clause which openly allows the assessee to get a relief on Rs. 5,000 by asking somebody to spend for him the amount which he otherwise would have spent. It is a *benami* transaction, but *benami* transactions have been given recognition, legal recognition under this measure. I do not know exactly how this type of clause can be passed.

When we are today asking for an expenditure tax, we definitely want to define which are the expenditures which will be taxed. If one you define the expenditure which will be taxed; I do not understand how simply because somebody else instead of the assessee spends that amount we can grant relief. I would request the Finance Minister and through you the hon. Members of this House not to allow this particular clause to pass as it is. It is clearly granting the assessee freedom to dodge, not to pay the tax to the tune of Rs. 5,000 of expenditure, because it will always be possible to find somebody who will be spending that Rs. 5,000 for the assessee in respect of, those matters which otherwise would have been spent by the assessee himself.

It is to prevent this that I have moved my amendment. When the Bill was first presented to the House the clause stood "up to the amount which would have been incurred by the assessee". This particular provision has been incorporated by the Select Committee, and is now before the House. I would request the hon. the Finance Minister to agree to my amendment because the exemption that has been granted has got in logic. Not only that. I would say this is openly allowing a *benamic* transaction.

Pandit Thakur Das Bhargava: Sir, I have heard the speech of Shri Mool Chand and the hon. Minister, in regard to the taxable limit of the Hindu undivided family is concerned. I very explicitly gave examples of the taxable limit of income-tax and wealth tax, not about allowances or deductions. About that we know that section 14 of the Income-tax Act has been there and my hon. friend would be well-advised in referring to that section.

I have said many a time in this House, and I repeat it today: take away all your concessions; I do not want any concessions; these concessions are illusory; they are deceptive; they are not of any use whatever to the undivided Hindu family. In so far as this Bill is concerned, I am sorry to hear from my hon. friend Shri Mool Chandji that they have granted concessions in regard to marriages. You have granted concessions so far as the right of spending is concerned. If they have granted concessions they have granted concessions by prejudicing the rights of the whole nation. If you grant a concession to somebody it is always at the expense of the community. If they have done so they have committed a great wrong and I beg of them to withdraw these concessions.

May I, however, ask them: is a member of an undivided Hindu family a human being or sub-human being? If any human being is entitled to medical relief, is not every member of the Hindu undivided family entitled to it. When you give it to an individual, why not to the family? Why should they allow only Rs. 8,000 to the entire family, which may consist of twenty persons, while they allow Rs. 8,000 for education, etc? I do not see the logic of it. I would beg of the hon. Deputy Finance Minister to revise his notions of logic. There is no logic in it., so far as the taxable limit is concerned. So far as allowances are concerned they stand on a different footing. They stand on the same footing as section 14.

Then may I ask them: when they have granted concession, so far as electoral right is concerned, so far as right of marriage is concerned, why don't they give this right which they so boastingly say they have granted to every member of the undivided Hindu family. Why don't you give the same so far as sub-clauses (g) and (f) of clause 4 is concerned. Let them be logical at least here. But they are not logical at all.

I would beg of them to consider how this will work. My hon. friend has raised an objection and has moved for the deletion of sub-clause (1) of clause 4. May I give an example of clause 4(1). The example may not be apposite, but it is covered by a case of this nature. Supposing a person wants to pay the decree against his brother or other relations. There is a decree of Rs. 6,000 against a person and that man goes and pays the money in a court on behalf of the assessee. In a case of this nature the assessee will be liable if the money is more than Rs. 4,000; upto Rs. 5,000 he will not be liable. Similarly perhaps the whole House knows, some of the old members must know, that one of the greatest patriots of India, Shri C R Das used to pay the decretal amounts of many persons, their debts without their knowing them. When they came to execution court they found that somebody else had paid the amount for them. He used to pay a large amount on scholarships and used to help people. Many people do not know who has paid the money. Supposing there is a person like this, what will happen. Only to the extent of Rs. 5,000 he would be able to give help to his people. Supposing there is a rich man, even if he has sons and daughters and he wants to spend money on the marriage of three of his relations—Rs. 5,000 each—even those persons will come under this. If it is less than a total of Rs. 5,000 they will only be benefited to the extent of Rs. 5,000, and if it is more than Rs. 5,000 they all will have to pay and the philanthropy of that person will not benefit them.

Shri Prabhat Kar: I think Pandit Thakur Das Bhargava has somewhat misunderstood this particular section.

Pandit Thakur Das Bhargava: That is my reading. I will readily own my mistake if I have misunderstood. I will certainly correct myself and I would be grateful to the hon. Member if he will kindly explain to me what it means. I have not been able to understand in any other way. First of all there must be an assessee and then there is some other person. The other person in incurring the expenditure for which the assessee was to be ultimately liable In that case the assessee can only be indemnified to the extent of four thousand and not more I understand this is the section. I have tried my best to understand it.

Mr. Deputy-Speaker: In the case of a marriage if relations spend some amount, was it necessary for the assessee also to spend that money?

Pandit Thakur Das Bhargava: The question is of personal obligation or personal requirement. Somebody else must do it.

Mr. Deputy-Speaker: The assessee does not spend on his marriage or his son's marriage and it is spent by his brother. It was not necessary that he must spend that money.

Pandit Thakur Das Bhargava: What will be the meaning of "directly or indirectly". I asked this very question to the hon. Minister when the Bill was under discussion.

Mr. Deputy-Speaker: The assessee must have been satisfied with spending only Rs. 10,000 and not an additional Rs. 5,000 which has been spent by the other person.

Pandit Thakur Das Bhargava: The assessee spends Rs. 10,000, more than Rs. 5,000 and it would have been said that he should have been content with that amount. Supposing the assessee spends nothing and his brother only spends the entire amount.....

Mr. Deputy-Speaker: Then, was it necessary to spend this Rs. 5,000 also?

Pandit Thakur Das Bhargava: It is a question of fact, what amount he would have spent; otherwise this would be meaningless again. Supposing the maternal uncle of a bride or bridegroom brings a present to the extent of Rs. 6,000—it is not unsual among this class of people for whom the tax is intended to bring such presents—he will be liable. After all, what does it refer to, if it does not refer to cases of that nature. It does not refer to cases where a stranger spends money for the assessee and the assessee will only be liable if there was a personal obligation or requirement. What is the meaning of "obligation" and "personal requirement"? They are not defined here.

Mr. Deputy-Speaker: The first il lustration about payment of decree amount was all right, but so far as marriage is concerned, it is not so.

Shri Prabhat Kar: Decree is exempted.

Pandit Thakur Das Bhargava: A person may choose to be a recalcitrant and prefer to go to jail. Even that would not apply if it is a case of personal requirement. The whole section is so involved that it carries really no specific meaning. We cannot find out the meaning after reading the whole thing.

What I am submitting is, if under one section Shri M. C. Jain and the hon Minister were so kind to the Hindu undivided family as to able to provide for their marriages Rs. 5,000 each as also allow for election expenses, why are they so hard upon them when the question is about this payment of decree amount or something like that. If you say Rs. 5,000, logically, if there are 10 men it would be Rs. 50,000. I was content with Rs 15,000. We have seen that Rs. 12, 600 was the limit. Therefore, as a measure of restraint I would like that every person should be treated in India as an individual, and without any special rights or special liabilities.

First of all they have to justify why they impose special liabilities. Instead of doing that they take shelter

[Pandit Thakur Das Bhargava]

in two provisions. In clause 5 they have given what they call concessions. They have not been fair there. Supposing they are fair in one or two things they want everybody to congratulate them upon it. I should think that they should arrange matters in such a way that everybody in India is treated according to the provisions of article 14 of the Constitution.

श्री झुनझुनवाला (भागलपुर). उपाध्यक्ष जी, आपने कहा कि यदि डिक्रीटल एमाऊंट हो या अन्य कोई इसी प्रकार की चीज हो तो हम समझ सकते हैं परन्तु शादियों में यदि इस प्रकार का रुपया खर्च किया जाय तो क्या यह जरूरी है। मैं अपने दोस्तों से कहना चाहता हूं कि शादियों में रुपया खर्च करने की रिवाज हमारे यहां है, यह अच्छी है या बुरी है, पर वह चल रही है। अगर यह रिवाज बुरी है तो यह गवर्नमेंट की जिम्मेदारी है कि वह इसको न रहने दे। अगर किसी के यहां लड़की है तो उसे उसकी शादी करनी है। यह कितना भारी आबलिगेशन असेसी पर है यह एक हिन्दू ही समझ सकता है जिसको कि शादी किये बगैर रात दिन नींद नहीं आती। अगर वह अपने पास से रुपया नहीं खर्च कर सकता और उसका भाई या चचेरा भाई या कोई और खर्च करता है तो आप कहते हैं कि उस पर इसके लिए टैक्स लगाना चाहिए। उसकी शक्ति नहीं है कि कितना भारी आबलिगेशन है इसको एक हिन्दू ही समझ सकता है दूसरा नहीं समझ सकता। हमारे भाई मूलचन्द जी कहते हैं कि हिन्दुओं के लिए बड़ी भारी रियायत की जा रही है परन्तु वह जानते हैं कि आज शादी के वक्त लड़के वाले कहते हैं कि इतना दो, इतना दो। क्या वह शादी के बिना लड़की को रखे या उतना रुपया किसी तरह से दे? अगर वह नहीं दे सकता और उसके भाई आदि रुपया देते हैं तो उसे आप असेसी पर कायम कर देंगे जिस असेसी की खर्च करने की शक्ति ही नहीं है। यदि आप इसमें इस तरह की चीज रखते हैं तो मेरी समझ में बहुत ही गलती करेंगे। पंडित ठाकुर दास जी ने एक जनरल चीज कही, मैंने एक खास उदाहरण दे दिया। इसी प्रकार से और भी उदाहरण दिये जा सकते हैं। मेरी समझ में नहीं आता कि यदि कोई दूसरा असेसी के लिए खर्च करे तो भी बोझा असेसी के ऊपर पड़े। इसमें आबलिगेशन शब्द लिखा हुआ है। इसमें यह देखा जायेगा कि यह आबलिगेशन था या नहीं और यदि आबलिगेशन नहीं था तो कोर्ट वैसा कह देगी। मेरी समझ में यह क्लाज बेकार है। वह यहां पर नहीं रहना चाहिए। अगर असेसी खुद खर्च करे तो ही वह उसके लिए जिम्मेवार हो।

श्री मू० चं० जैन (कैथल) माननीय डिप्टी स्पीकर साहब, इस क्लाज ४, १५, १७ के आइटम १ पर मैं ने अमेंडमेंट दिया है। इसको सपोर्ट करने के लिए मैं खड़ा हुआ हूं। वैसे तो मेरे फाजिल दोस्त ने इसको सपोर्ट कर दिया है।

My amendment is No 170 which says:

Page 3, lines 14 and 15,—

omit "to the extent to which the amount of all such expenditure in the aggregate exceeds Rs 5,000 in any year".

Mr. Deputy-Speaker: He can support amendment No. 41; otherwise it is the same as number 41 and it cannot be moved twice.

Shri M. C. Jain: I am supporting amendment No. 10 or 41. So many Members have given such amendments. Of course, I need not repeat the arguments advanced by my learned friends. My complaint is that if these words stand in the clause as they

stand now, then it will increase evasion of this taxed. A loophole has been provided in the sub-clause. These words did not exist in the original Bill before it was sent to the Select Committee. Again, Hindu joint family has been introduced in this clause. My first reaction is this. Had this concession not been given to anybody then this argument of Hindu undivided family could not have been introduced here. My first request to the Finance Minister is, let him withdraw this concession. This is a concession given to individuals as well as to Hindu undivided families, but the extent of the concession, I must concede, is the same to the individual as well as to the Hindu undivided family. My learned friend Pandit Thakur Das Bhargava, of course, wants that if the concession has to be given, it must be greater to the Hindu undivided family. My point is this. The concession should not be given at all, neither to the individual nor to the Hindu undivided family. If it is given, it will increase the evasion of tax and the argument has been advanced that the late C. R. Das, one of the greatest sons of India, used to pay the debt of certain persons whom he did not know. If there is any such person now, and if he can pay the debts of certain others, let him pay as much money to the Government exchequer as well. Why should one grudge if he is so benevolent as to pay the debt of others. Let him pay as much money to the exchequer also.

16 hrs.

Then it is said that if somebody spends some money on the marriage of the daughter or the son, possibly that of a daughter of another assessee, he will be taxed if this clause stands. I say, those customs of spending so much money on marriages have to be tabooed and those customs have to be stopped. If this tax is in some way responsible for curtailing those customs, I welcome the Bill even on that score only.

Of course, it is very difficult to get the Finance Minister agree to accept some amendments but I will urge upon him that so far as this amendment is concerned, the deletion of these words "to the extent to which the amount of all such expenditure in the aggregate exceeds Rs. 5,000 in any year" is necessary. If it is done the objection of Pandit Thakur Das Bhargava will also be met, because he has a reasonable complaint to make: that when you give a concession to an individual, the extent of the concession to the Hindu undivided family must be greater. But, if the concession to the individual is withdrawn, that complaint will also fall, and everybody will be happy. Therefore, I request the Finance Minister to delete these words.

श्री कमलनयन बजाज (वर्धा) : उपाध्यक्ष महोदय, इस विषय पर आज की जो कुछ चर्चा मैंने सुनी है, उसमें एक खास बात शायद ध्यान में नहीं लाई गई है। कुछ वर्षों से हमारा जो टैक्स स्ट्रक्चर रहा है, संयुक्त हिन्दू परिवार के ऊपर उसका क्या प्रभाव पड़ रहा है, उस पर ध्यान देना भी बहुत जरूरी है। हमारी टैक्सेशन नीति की वजह से संयुक्त हिन्दू परिवार के टुकड़े होते जा रहे हैं। शुरू-शुरू में यह कहा जाता था कि इनकम टैक्स परपजेज के लिए हम बाप बेटे, भाई-भाई, चाचा भतीजे अलग-अलग हैं, लेकिन अगर एक बार—चाहे वह इनकम टैक्स परपजेज के लिए ही क्यों न हो—उनमें किसी भी तरह की जुदाई आ जाती है, तो घर में बहुत से ऐसे फैक्टर्ज घुस आते हैं, जो कि धीरे-धीरे परिवार के अलग-अलग टुकड़े कर देते हैं। इस टैक्सेशन नीति के पीछे यदि हमारी सरकार की यह नीति है कि संयुक्त हिन्दू परिवार का सिस्टम ही गलत है, तब तो मैं मानता हूं कि धीरे-धीरे अपनी नीति को सख्त करते हुए हमें संयुक्त हिन्दू परिवार को नष्ट कर देना चाहिए और इस बात का प्रचार भी करना चाहिए कि संयुक्त हिन्दू परिवार का जो सिस्टम हजारों वर्षों से चला आ रहा है, उसको

[श्री कमलनयन बजाज]

मिटा देना जरूरी है और आज उसका होना हमारे समाज के लिए कोई अच्छी बात नही है।

इस सम्बन्ध मे एक उदाहरण देना चाहता हू। माननीय भार्गव जी ने किसी निफिशियरी के द्वारा किसी को मदद दिए जाने के सम्बन्ध मे उदाहरण दिए। वह तो एक अलग बात है। लेकिन मान लीजिए कि किसी दुश्मन ने ही किया हो और दुश्मन इस तरह से भी कर सकता है कि उसको मालूम है कि जिसके लिए मै करने जा रहा हू, उसके पास पाच सौ रुपए भी देने के लिए नही है और उसके लड़के की शादी है, लेकिन दुश्मन ने आकर जबर्दस्ती खर्च कर दिया दस हजार रुपए। जिसके पास पाच सौ रुपए भी देने के लिए नही है, वह टैक्स कहा से देगा। उस व्यक्ति को मालूम है कि मेरे पास तो लाखो रुपए हैं, दस हजार मैंने खर्च किया है, मेरा कुछ नही बिगडेगा, लेकिन जो असेसी है, जिसके यहा शादी है, मैं ने उसके यहाँ दस हजार रुपया खर्च किया है, उसको मै दो हजार रुपए इनकम-टैक्स का कर्जदार बना देता हू। इस तरह की एनामेलस पोजीशन भी हो सकती है। मैं इन छोटे-मोटे परिवर्तनो के लिए इतना आग्रह नही करता चाहता हू। मैं मानता हू कि यदि हमारी सरकार को इसमें कुछ गलतिया सूझेगी, तो वह अपने आप ही इसको दरुस्त कर देगी। इस बात का मुझे पक्का विश्वास है। लेकिन सबसे बडी बात यह देखने की है कि जो सयुक्त हिन्दू परिवार का सिस्टम बड़े पुराने जमाने से, और आज के जमाने में भी, परिवार को सगठित बना कर समाज को उन्नत बनाता आ रहा है, उसमे आज भी वह ताकत है या नही, और क्या वह एक ऐसा सिस्टम है, जो कि पुराने ढर्रे पर चलने की वजह से शक्तिहीन हो गया है, जिस की अब कोई ताकत नहीं रही है, और इसलिए अब उसको तोड देना है। यही मुख्य सिद्धान्त हमारे सामने है और यदि एक दफा इस सिद्धान्त का निर्णय हो जाय, तो बाकी बातो का निर्णय भी हो जायगा। अपने आदरणीय मित्र, पडित ठाकुर दास भार्गव, का केस मुझे बडा रीजनेबल लगता है, अर्थात् यदि आप कोई बचत देना चाहते हैं, उसको हम मेहरबानी से सयुक्त हिन्दू परिवार के लिए नही चाहते हैं, लेकिन अगर आप एक व्यक्ति को देते हैं, तो यदि दस व्यक्ति मिल कर कुछ काम करें, तो उन को ज्यादा रहूलियत होनी चाहिए यह एक वाजिब बात है।

मैं एक छोटासा उदाहरण यह दिखाने के लिए देना चाहता हू कि कानून किस तरह अडचने पैदा करता है। बम्बई में कार्पोरेशन ने एक नियम बना दिया था, जिसकी वजह से यह निश्चित हुआ कि जमीन एलाट कराने के लिए यदि कोई क्लब बने, तो उसके कास्टीच्यूशन मे ऐसा कोई नियम नहीं होना चाहिए, जिसके अनुसार उसका मेम्बर बनने में कुछ रेस्ट्रिक्शन हो, लेकिन यदि कोई इन्डिविजुअल-कोई एक व्यक्ति एप्लाई करे, तो उसको जमीन एलाट कर दी जाय। अगर किन्ही दस व्यक्तियो ने मिलकर अपने आप को एक क्लब का रूप दिया और नियम बनाया कि मेम्बर बनाने के सम्बन्ध में हमारे पास पूरे हक होगे और इसके बाद जमीन के लिए एप्लाई किया, तो उनको कहा गया कि आप यह अडचन रखते हैं, इसलिए हम आपको जगह नही देंगे। अकेले आदमी को जगह दी जा सकती है, लेकिन अगर दस आदमी मिल कर एप्लाई करें, तो इस में क्या एतराज हो सकता है। जब उनको यह बात समझाई गई, तो

उनकी समझ में आया और बाद में उन्होंने इसको ठीक कर दिया। इसी तरह कानून के पचड़े में फंस कर, जो हमारी भावना पुराने जमाने से चली आ रही है, हमारा जो संगठन है, जो हमारी शक्ति है, उस को समाप्त किया जा रहा है। संयुक्त हिन्दू परिवार में आज भी इतनी ताकत है कि यदि कोई विधवा बूआ हो, या दूर के दूसरे रिश्तेदार हों, तो उनका पोषण किया जाता है, उनकी हर प्रकार से सहायता की जाती है। यहां तक कि जहां लड़की नहीं होती है, कन्यादान को इतना पुण्य माना गया है कि पराए की लड़की को गोद ले कर उसकी शादी की जाती है। आज के समय में भी ये भावनायें समाज के लिए हितकर हैं, लेकिन उनको कुछ भी कष्ट न करके सब कुछ कानून की दृष्टि से हम देखना चाहते हैं। सबसे पहले हमको यह निर्णय करना है कि हमने संयुक्त हिन्दू परिवार को रखना है या नहीं। यदि यह निर्णय हो जाता है, तो हमारी दूसरी प्राबलम्ज भी हल हो जायेगी।

Shri Tangamani (Madurai): My amendment is No 14, with reference to the Explanation of this clause. The hon. Member, Shri Prabhat Kar, has pointed out how this clause seeks to give protection and exemption to those assessees through a third party. The example of payment of a decree amount by a third party like the great C. R. Das is not a thing which is common today, but normally, what we find is, if a decree amount is paid, it is paid by a person on behalf of the assessee, because the person who paid the decree is responsible to the assessee. The one that was referred to is a very extraordinary and exceptional case.

Here, in the Explanation, we find that:

> "For the removal of doubts it is hereby declared that nothing contained in this section shall be deemed to require the inclusion in the expenditure of the assessee of any expenditure incurred by any other person for or on behalf of the assessee by way of customary hospitality or which is of a trivial or inconsequential nature."

I want that portion dealing with customary hospitality and the proceeding line should be deleted. Having given a *carte blanche* that he is allowed to spend at least Rs. 5,000, this phrase "customary hospitality" is used, which is a very wide phrase. It is very difficult to find out and assess how much money a man is going to spend on customary hospitality. It is more or less in addition to the exemptions given under clauses 5 and 6. An extra exemption is given under clause 4. This is not going to affect the middle-class people or the ordinary people. My submission is this Bill seeks only to bring under its purview people whose net income is Rs. 36,000 and whose expenditure is Rs. 30,000.

As I have said, exemptions have been given under clauses 5 and 6. Under clause 6, every conceivable expenditure, even the expenditure on criminal and civil proceedings, is included. I submit that this amendment may be accepted, because as it is clause 6 goes against the fundamentals of the Bill itself.

Shri B. R. Bhagat: By his amendment No. 41, Shri Prabhat Kar wants that the following should be omitted:

> "to the extent to which the amount of all such expenditure in the aggregate exceeds Rs. 5,000 in any year".

Mr. Deputy-Speaker: It seeks to restore the old clause.

Shri B. R. Bhagat: It is apparent that the Select Committee, in its wisdom decided to have such a limit. This is mainly for any expenditure which is incurred by a third party for the benefit of the assessee or his dependants. The committee felt that if no limitations were placed on the expenditure incurred by third parties to be

[Shri B. R. Bhagat]

included here, a good deal of harassment might be caused for no purpose to assessees. But for the amendment, any comparatively small item of expenditure incurred by a third party would be included in the taxable expenditure of the assessee, even though sometimes it may happen that he might not know of it or he might not keep any account of it. What we want to provide is that he should keep accounts only if such expenditure is of a recurring nature and likely to exceed Rs. 5,000; then he can keep an account of such expenditure. This is mainly with a view to minimise the harassment. I think the revenue consideration is not much. He said that in any taxation measure, revenue consideration is very important. I do not understand it. He said that the Finance Minister would reduce the revenue. I do not think the revenue consideration is of any substantial nature in this.

Coming again to the amendment of Pandit Thakur Das Bhargava, I do not know how to deal with it, because he has always raised the question of Hindu joint family. I can only assure him with all the emphasis at my command that the Government has no such intention of disrupting the Hindu joint family, as the hon. Member Mr. Bajaj said.

So far as sentiments are concerned, I am with them, because I myself come from.....

Pandit Thakur Das Bhargava: Why was the Hindu Code Bill brought here which provided for the dissolution of the entire Hindu joint family?

Mr. Deputy-Speaker: The hon. Deputy Minister say that that is not the intention of his Bill.

Shri B. R. Bhagat: Also, I do not believe that the Hindu joint family will be broken up by any tax measure; if it has the inherent strength, it can with-stand the stress and strains of socio-economic factors.

Mr. Deputy-Speaker: In any tax measure, there is bound to be opposition; there is no wonder about it.

Shri B. R. Bhagat: I am answering a point that this measure will disrupt the Hindu joint family. I said, so far as the sentiments are concerned, I am with them. But my only point is, whatever disruption takes places, it is because of the socio-economic conditions or the impact of industrialisation or other reasons. If the Hindu joint family has to be protected, it has to adjust itself to the new conditions of time. I only want to make point that it was never the intention of the House, I think, or of the Select Committee or of the Government to bring out a measure in order to disrupt the Hindu undivided family. Nothing of the kind. The scheme was thought of that any expenditure by an individual person up to a limit of Rs. 5,000 should be exempt, only in order to minimise harassment. So the question of raising it in the case of the Hindu undivided family to ten or fifteen thousand rupees does not arise, because this will take care only of a small expenditure. Already I think the five thousand rupees limit is a liberal one, and to increase it to ten or fifteen thousand rupees will not be a very reasonable thing.

As regards the point about the Explanation with regard to any customary expenditure, there again the intention of this clause 4 is to exempt expenditure of a trivial nature and of a customary nature by some other persons, and this doubt has been made clear in the Explanation. If somebody gives a dinner or lunch or any other thing or spends something over friends or in our peculiar social conditions—we are famous for our hospitality—if the amount is of an inconsequential or customary nature, we just want through the Explanation to make it clear that no harassment would be caused by such expenditure or by keeping an account of such expenditure. So all these amendments are not acceptable.

Mr. Deputy-Speaker: Then I shall put them to vote.

Shri Prabhat Kar: Amendment No. 41 may be put separately.

Mr. Deputy-Speaker: Very well. I shall now put amendment No. 41.

The question is:

Page 3, lines 14 and 15,—

omit "to the extent to which the amount of all such expenditure in the aggregrate exceeds Rs. 5,000 in any year".

Lok Sabha divided: Ayes 32, *Noes* 160*.

The motion was negatived.

16.19 hrs.

[MR SPEAKER *in the Chair*]

Mr. Speaker: Now I put the other amendments to the House. The question is:

Page 3, lines 22 to 24—

omit "incurred by any other person for or on behalf of the assessee by way of customary hospitality or".

The motion was negatived

Mr. Speaker: The question is:

Page 3, line 20—

omit "for the removal of doubts".

The motion was negatived

Mr. Speaker: The question is:

Page 3, line 24—

omit "or which is of a trivial or inconsequential nature".

The motion was negatived.

Mr. Speaker: The question is:

Page 3, line 15—

add at the end:

"in the case of an individual and three times this amount in the case of Hindu undivided family".

The motion was negatived.

Mr. Speaker: The question is:

Page 3, line 15—

add at the end:

"in the case of an individual and ten thousand in the case of Hindu undivided family".

The motion was negatived.

Mr. Speaker: The question is:

Page 3, line 10—

omit "whether directly or indirectly".

The motion was negatived.

Mr. Speaker: The question is:

Page 3, line 19—

omit "whether directly or indirectly"

The motion was negatived.

Mr. Speaker: The question is:

Page 3, line 24—

add at the end:

"subject to a maximum of rupee two thousand only".

The motion was negatived.

Mr. Speaker: The question is.

"That clause 4 stand part of the Bill".

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5.—(*Exemption from Expenditure-tax in certain cases*)

Mr. Speaker: The following amendments have been indicated by the Members to be moved:

Amendment Nos. 180, 94, 51, 140 (same as 94), 166, (same as 94), 93,

*Names of members who had recorded votes have not been included under the direction of the Speaker as the photograph copy of Division result did not clearly show the names of all members.

[Mr. Speaker]

166 (same as 94), 95, 175, (same as 95), 171 (same as 48), 172, 174, 3, 4, (same as 51), 5, 72, 73, 74, 75, 138 (same as 48), 139, 22, 137, 173, 162, 163, (same as 48), 164, 165, 42, 43, 44, 45, 46, 47, 48, 49, 50, 52, *115, 116, 117, 105, 106, (same as 184)*, 107, 108, 12, 14, 17, 18, 19, (same as 165), 21, 23, and 24 (same as 174).

Shri Dasappa (Bangalore): I beg to move:

Page 5, line 8—

add at the end—

"except race horses".

Shri Jaganatha Rao (Koraput): I beg to move:

Page 5—

for lines 9 and 10, *substitute*:

"(m) any expenditure incurred by the assessee for any public purpose of a charitable or religious nature:

Provided that this clause shall not apply in the case of any expenditure incurred outside India for any such purpose unless the Board having regard to the circumstances relating thereto, otherwise directs;"

Shri M. H. Rahman (Amroha): I beg to move:

Page 5, line 10—

omit "in India".

Shrimati Ila Palchoudhuri (Nabadwip): I beg to move:

Page 6—

after line 27, *add*:

"(s) any expenditure incurred by the assessee for or by way of salaries, allowances and/or pensions to servants, staff or other persons in his/her employment or who have retired from service."

Shri M. C. Jain: I beg to move:

(i) Page 4—

omit lines 14 to 17.

(ii) Page 6—

omit lines 20 to 27.

Shri Mohammad Tahir (Kishanganj): I beg to move:

(i) Page 5, line 8—

add at the end—

"for the purpose of agriculture".

(ii) Page 5, line 10—

add at the end—

"including the expenditure on pilgrimage".

Pandit Thakur Das Bhargava: I beg to move:

(i) Page 3, lines 30 and 31—

omit "wholly and exclusively".

(ii) Page 3, line 33—

add at the end—

"to the extent it is incurred for these purposes".

(iii) Page 3, line 35—

for "wholly and necessarily" *substitute*—"to the extent it is necessary".

(iv) Page 4, lines 1 and 2—

for "wholly and necessarily" *substitute*—"*to the extent it is nesessary*".

(v) Page 4, line 16—

after "India" *insert* "books,"

Shri M. D. Mathur (Nagaur): I beg to move:

Pages 5 and 6—

omit lines 31 to 35 and 1 to 19 respectively.

Shri Siddiah (Mysore—Reserved—Sch. Castes): I beg to move:

Page 4—

for lines 7 to 10, *substitute*:

"(e) any expenditure incurred by the assessee in connection with the repair and maintenance of any immovable property belonging to him."

Shri Suparkar: I beg to move:

Page 4—

after line 29, *insert*:

"(jj) any expenditure reasonably incurred to reimburse the loss or damage resulting from fire, flood, earthquake and other natural calamities."

Shri S. Ghose: I beg to move:

(i) Page 4—

omit lines 7 to 10.

(ii) Page 4—

omit lines 27 to 29.

(iii) Page 5—

omit lines 7 and 8.

Shri Prabhat Kar: I beg to move:

(i) Page 3, line 29—

omit "revenue"

(ii) Page 3, lines 32 and 33—

omit "or for the purpose of earning income from any other source"

(iii) Page 3—

omit lines 34 to 37.

(iv) Page 4, lines 8 and 9—

omit "acquisition of any immovable property or in the construction".

(v) Page 4, line 9,—

for "maintenance or improvement" *substitute*—

"or maintenance".

(vi) Page 4, line 10—

add at the end:

"subject to a maximum of Rs. 20,000".

(vii) Page 4, lines 12 and 13—

omit "or in bullion, precious stones or jewellery".

(viii) Page 4—

after line 29, *add*:

"Provided however such gifts etc. are of a lump amount of Rs. 25,000 or more."

(ix) Page 5, line 8,—

add at the end:

"excluding race horses"

(x) Page 6—

omit lines 11 to 13.

Shri Tangamani: I beg to move:

(i) Page 3, line 31—

omit "business"

(ii) Page 4, lines 7 and 8—

omit "in connection with the acquisition of any immovable property or".

(iii) Page 4,—

omit lines 18 to 21.

Shri Balasaheb Patil (Miraj): I beg to move:

(i) Page 4, lines 24 and 25—

for "not being interest on any loan or other borrowing" *substitute* "not being a loan or other borrowing, or an interest thereon".

(ii) Page 5, line 16—

after "source" *insert* "outside India".

(iii) Page 6—

omit lines 9 to 19.

Shri Narayanankutty Menon: I beg to move.

(i) Page 3—

omit lines 29 to 33.

(ii) Page 4, lines 8 to 10—

omit "or in the construction, repair, maintenance or improvement of any immovable property belonging to him".

(iii) Page 4, lines 16 and 17—

omit "or any work of art"

[Shri Narayanankutty Menon]

(iv) Page 4, line 24,—

after "interest on" *insert* "or re-payment of"

(v) Page 5—

after line 10, *add*:

"Provided that the assessee does not get any monetary relief or benefit from such expenditure."

(vi) Pages 5 and 6,—

omit lines 35 and 1 to 12 respectively.

Mr. Speaker: All these amendments are before the House.

Hon. Members will be very brief. I do not want to apply the guillotine.

Shri Dasappa: My amendment relates to a fairly simple point. The idia is that the expenditure incurred by the assessee in the purchase or maintenance of livestock is sought to be exempted.

Mr. Speaker: His amendment was received only today.

Shri Dasappa: You were very generous to allow it.

Mr. Speaker: I came only just now. It is only in cases where Ministers accept the amendments that I waive notice. Otherwise, I do not want to allow the time of the House to be taken away.

Shri Dasappa: You have been able to supply me with a copy of the amendments marked 'Member: List No. 15'. Not that I am trying to take anybody by surprise.

Mr. Speaker: Everything is typed and sent. But what is the reaction of the hon. Minister?

Shri B. R. Bhagat: We got it just now. I do not think we can accept it.

Shri Dasappa: It is a very old point. It relates to exemption of race horses from the liability to pay expenditure tax. Even in the case of the wealth tax, it has been stated very clearly that the Select Committee gave that exemption with a view to see that people could have some livestock, cattle, cows, sheep and so on. But I do not think the Select Committee was ever apprised of the fact that even race horses would not be deemed wealth of a person. So here likewise when a person chooses to buy race horses and maintains them, the argument that that expenditure should not be deemed to come within the mischief of expenditure tax is something I cannot understand. If any body does insist upon saying that it is sought to be exempted for purposes of horse breeding and so on, I must emphatically protest against any such idea.

Besides that, I may say that race horses which run races are never used for the stud farm, either the stallion or the mares. It is only when they leave the race course that they are sent to the stud farm. So the *raison detre* given by the hon. Finance Minister the other day for encouraging horse breeding is not correct.

Therefore, I feel that this generic expression 'livestock' has been just used by oversight It was never meant to convey the idea that race horses should be exempt from this tax.

Shri Jaganatha Rao: My amendment is No 94. The amendment is to sub-clause (m) of clause 5. As it stands, the sub-clause says that any expenditure incurred by the assessee for any public purpose of a charitable or religious nature in India, is exempt. My amendment seeks to widen the scope of this expenditure—that means, not necessarily incurred in India but elsewhere also. At the same time, power is given to the Central Board of Revenue to scrutinise and see whether such expenditure could be allowed to be exempted.

My amendment thus reads:

"any expenditure incurred by the assessee for any public pur-

pose of charitable or religious nature:

Provided that this clause shall not apply in the case of any expenditure incurred outside India for any such purpose unless the Board having regard to the circumstances relating thereto, otherwise directs".

Sir, my amendment would bring within the operation of this clause Muslims who often go to Haj and incur expenditure. Such question would come within the purview of this sub-clause.

Power is also given to the Central Board of Revenue to scrutinise whether such persons are *bona fide* pilgrims or not.

I commend my amendment to the House

شری ایم-ایچ-رحمن : جناب سبھپتی صاحب - میری ترمیم یہ ہے کہ ان انڈیا کے الفاظ کو امن میں سے اومٹ کر دیا جائے - مجھے تعجب ہے کہ بل کو سامنے رکھتے ہوئے اور بلاتے ہوئے یہ بات ہمارے فائنانس منسٹر صاحب کے نوٹس سے نکل گئی کہ مسلمان کرسچین اور سکھ جو یہاں ہندوستان کے باشندے ہیں ان سب کے چیریٹیبل اور ریلجس پرپزز کے ایسے اخراجات ہیں جو انڈیا سے باہر ان کو کرنے پڑتے ہیں - مسلمان حج کو جاتے ہیں - مکہ مدینہ کی زیارت کو جاتے ہیں - کربلا ملے - نجف اشرف - کاظمین جاتے ہیں - کرسچین یروشلم کی زیارت کو جاتے ہیں اور سکھ اپنے گوردواروں کو جو پاکستان میں ہیں وہاں جاتے ہیں - ان سب کا چیریٹیبل اور ریلجس پرپز پر خرچ ہوتا ہے جو کہ ان کو کرنا پڑتا ہے - ایسی صورت میں ان انڈیا کو بڑھا دینے سے ان سب پر ٹیکس لگو ہو جاتا ہے - میرے نزدیک یہ بات ایسی تھی کہ خود فائنانس منسٹر صاحب کو بل بلاتے ہوئے اس پر پورے طور سے غور کر لینا چاہئے تھا اور کوئی ایسا طریقہ نکالنا چاہئے تھا جس سے یہ سب اخراجات اس ٹیکس سے مستثنیٰ ہو جاتے - لیکن افسوس کہ ایسا نہیں ہوا ہے - سارے بل کو دیکھ لینے کے بعد بھی مجھے کہیں کوئی صورت ایسی دکھائی نہیں دی کہ ان سب اخراجات کو مستثنیٰ کیا جا سکے - اس لئے اگر ان انڈیا نکال دیا جائے تو تمام مقامات مقدس کے متعلق اخراجات جو انڈیا سے باہر ہیں اور چیریٹیبل اور ریلجس پرپز میں شامل ہیں یا انڈیا سے باہر ہیں اور ان کی زیارت پر جو خرچ ہوگا وہ اگزمپٹ اور مستثنیٰ ہو سکتے ہیں - یہ بات بہت کافی تھی اور ایسی لمبی چوڑی تقریر کرنے کی کوئی ضرورت نہیں ہے -

لیکن مجھے خود اس بارے میں تھوڑا سا شبہ ہے - میں اس بات کو محسوس کرتا ہوں کہ ان انڈیا کو حرف کرنا اور اومٹ کرنا کچھ ایسی صورت پیدا کر سکتا ہے کہ کیا وہ چیریٹیبل اور ریلجس پرپز کے لئے

[شری ایم- ایچ- رحمن]

کے جو مقدس مقامات ہیں اور سکھوں کے جو مقدس مقامات ہیں اور آئوٹ آف انڈیا ہیں ان کے لئے جتنے بھی چیریٹیبل اور ریلیجس پرپز ہونگے وہ سب کے سب مستثنیٰ رہیں گے - اگر رول میں یہ بات آجائے تب میں اپنی دوسری امینڈمینٹ کو بھی سمجھتا ہوں کہ وہ کارآمد ہوگی ورنہ تو تنہا ان انڈیا کو اومٹ کرنے سے ہی ہمارا جو مقصد ہے وہ حاصل ہو سکتا ہے - ہم چاہتے ہیں کہ اس ایکٹ میں اس طرح کی وضاحت اور صلاحیت ہو جائے تو اچھا ہوگا - کیونکہ کل کہیں یہ چیز پیش نہ آئے کہ بورڈ میں کوئی بھی ممبر ہوں - کوئی بھی فائنانس منسٹر ہوں وہ یہ نہ کہیں کہ اس قانون میں اس بات کو نہیں کہا گیا کہ ایسے اخراجات کے مستثنیٰ کا کہیں ذکر نہیں ہے - اور اس لئے ہم مکہ وغیرہ جیسے مقدس مقامات کے سلسلے میں جو کہ آوٹ آف انڈیا میں کئے گئے خرچ کو مستثنیٰ نہیں کر سکتے - اس بنا پر اور ایسی صورت میں میں یہ چاہتا ہوں کہ یہ واجب ہوگا کہ وہ میری امینڈ منٹ کو جو کہ ان انڈیا کے الفاظ کو حزف کرنے کے بارے میں ہے تسلیم کر لیں اور اس طرح پھر کوئی سوال ہی نہیں باقی رہ جاتا ہے - لیکن اگر وہ اس کو تسلیم نہیں کر سکتے اور سمجھتے ہیں کہ اس سے ہیں یا نہیں - اس سے کچھ پیچیدگی کا اندیشہ ہو سکتا ہے - اس بنا پر میں نے احتیاط کے طور پر ایک دوسری امینڈمنٹ پیش کر دی ہے جو کہ وہی ہے جو شری جگن ناتھ راؤ نے پیش کی ہے - جس میں اس بات کو صاف ظاہر کر دیا گیا ہے کہ ان انڈیا کے حزف کرنے کے ساتھ ساتھ یہ جو بورڈ بنایا جائے اس میں یہ ایڈ کر دیا جائے کہ اس بورڈ کو جس کا کہ کلاز ۲ میں ذکر ہے اس کو اختیار ہو کہ وہ اس قسم کے جتنے بھی چیریٹیبل اور ریلیجس پرپز کے اخراجات پیش آئیں ان کو وہ مستثنیٰ کر دے - اگزیمپٹ کردے لیکن اس میں ایک بات خاص طور پر توجہ دینے کے قابل ہے- جب ہم اختیار دیتے ہیں تو یہ دونوں طرف جاتے ہیں - یہ اجازت دینے کی طرف بھی جاتے ہیں اور اجازت نہ دینے کی طرف بھی جاتے ہیں اس لئے میری دوسری امینڈمینٹ میں یہ بات خاص طور سے دھیان دئے جانے کے قابل ہے کہ فائنانس منسٹر صاحب ہاوس میں اس بات کا یقین دلائیں کہ جو رول ایکٹ کے تحت وہ بنائیں گے ان میں یہ بات صاف کر دی جائے گی اور وضاحت اور صراحت کر دی جائے گی کہ اس کلاز کی سبکلاز ایم کا مقصد یہ ہے کہ اس میں مسلمانوں کے حج اور مقامات مقدسہ کی زیارت کو اور کرسچیانز

زیادا پھیلاو ہو جائے گا اور کچھ اور
چیزیں ہو سکتی ہیں تو میری دوسری
امینڈمنٹ کو وہ تسلیم کر لیں اس
شرط کے ساتھ کہ رولز میں اس بات
کی وضاحت کر دی جائے گی کہ اس
مقصد کے لئے یہ سب کلاز ایم رکھی
گئی ہے اور اس کا مقصد ان کو
اجازت دینا ہے ان اخراجات کو بھی
ٹیکس سے مستثنی اور ان کو
ایگزیمپٹ کرنا ہے -

[English translation of the above speech]

Shri M. H. Rahman: Mr. Speaker, Sir, my amendment is that words "in India" should be omitted. It is surprising that while introducing this Bill in the House or while drafting it, this aspect was not considered by our Finance Minister that Muslims, Christians and Sikhs living in India have to incur their expenses on charitable and religious purposes outside India. Muslims go to Mecca and Madina, Karbala-i-Mullah, Najaf Ashraf for pilgrimage, Christians go to Jerusalem and Sikhs go to Pakistan as their sacred shrines are there. These people have to spend something there for charitable and religious purposes. In these circumstances, if we retain the words "in India" in the Bill, this tax would apply to all such expenditure. I think that the Finance Minister himself should have considered this matter while framing the Bill and he should have devised a way whereby all such expenditure should have been exempted from this tax. But I regret to say that this was not done. I have gone through the whole Bill but I could not come across any provision under which such expenditure could be exempted. Therefore, if the words "in India" are deleted, all the expenditure which is incurred for charitable and religious purposes at sacred shrines outside India can be exempted. This was quite sufficient and a long speech was not required for explaining this point.

However, I have myself a little doubt about this matter. I realise that the omission of words "in India" can present a situation where one can doubt whether the expenditure was for charitable and religious purposes or for something else. The provision may be misused for evasion of the tax. To safeguard against such a situation, I have also tabled another amendment, which is same as amendment No. 94 moved by Shri Jaganatha Rao wherein, along with the omission of these words, it has been clearly stated that the Board, referred to in clause 2 of the Bill, should be empowered to give exemption to all such cases of expenditure incurred on charitable and religious purposes. But one thing deserves particular attention. When power is given it can be used both ways, that is, exemption may be given or may not be given. As far as my second amendment is concerned, this thing deserved special attention and the Finance Minister should give an assurance in the House that he would clearly specify it in the rules which will be framed under this Act, that under sub clause (m) of this clause, expenditure incurred on charitable and religious purposes at sacred places of pilgrimage of Muslims, Christians and Sikhs, situated outside India, would be exempted from the tax. If such a provision is made in the rules, my second amendment would be of some use, otherwise by simply omitting the words "in India" our purpose will also be served We want that such a clarification should be made in this Act so that tomorrow a Member of the Board or the Finance Minister may not come and say that such a provision has not been made in the Act and therefore exemption on expenditure incurred at sacred places like Mecca etc., which are outside India, cannot be given. So I request that he should accept my amendment regarding the omission of words "in India". But if he thinks that he cannot accept this amendment and that some other complication would arise if it is accepted, then he should accept my second amendment with the assurance that it will be clearly provided in the rules

[Shri M. H. Rahman]

that the purpose of sub clause (m) is to give exemption to all such expenditure incurred on charitable and religious purposes

Shri Shree Narayan Das (Darbhanga): Sir, I had given notice of amendment No. 166 which is same as amendment No. 94 moved by Shri Jaganatha Rao. As the hon. Member has just said by mentioning the words "in India" there may be some cases in which some expenditure may be incurred on certain charitable purposes in other countries which may not be covered. The amendment will eliminate this difficulty.

The amendment is:

Page 5,—

for lines 9 and 10, *substitute*:—

"(m) any expenditure incurred by the assessee for any public purpose of a charitable or religious nature:

Provided that this clause shall not apply in the case of any expenditure incurred outside India for any such purpose unless the Board, having regard to the circumstances relating thereto, otherwise direct;"

If this amendment is accepted I think the difficulties put forward by the hon. Member just now will be altogether eliminated.

Shri Jaganatha Rao: Same as amendment No. 94.

Shri Shree Narayan Das: But if the proviso that has been moved is not there, then all the expenditure of various kinds incurred in foreign countries will not come under the purview of this Act. Therefore this proviso is necessary.

Then I would like to say something with regard to certain exemptions. A large number of exemptions have been given. Some of the exemptions have been put in here by the Select Committee. I think most of them are new. They were not in the original Bill. Some of the exemptions suggested by me have been incorporated. But I would like to say something with regard to sub-clause (f) which says:

"(f) any expenditure incurred by the assessee by way of investment in*****deposits, loans, shares, and securities, or in bullion, precious stones or jewellery."

I do not see why the expenditure incurred for the purchase of precious stones, bullion, jewellery, etc., should not be taxed. In my opinion it is unnecessary. We should not exempt precious stones or jewellery. We have exempted deposits, loans, shares and securities. This investment of money in precious stones and jewellery is an expenditure which should not really be exempted.

With regard to sub-clause (l) I think the words "purchase or maintenance of livestock" should be removed altogether. What is the point in keeping this? There must be some limitation. A certain number of things should be exempted Live-stock kept by an assessee for the purpose of his own use or for his vechicles must be exempted. If an assessee spends money on the purchase of elephants which are meant for a show or as a hobby, I think that expenditure should be brought under the purview of this measure. The elephants do not serve any purpose except for show or as a hobby. I would, therefore, suggest to the hon. Finance Minister to consider the point that all livestock purchased or maintained should not be exempted. There must be some limitation put on it. My hon. friend has suggested about race horses. That is also a hobby. Lakhs of rupees would be spent by certain persons on that. That also would be exempted if this provision is there. Therefore, such exemptions should not be allowed.

With these words, Sir, I suggest that my amendment may be accepted by the House.

Shrimati Ila Palchoudhuri: Sir, I have moved my amendment No. 95 which reads:

Page 6—

after line 27, add:

"(s) any expenditure incurred by the assessee for or by way of salaries, allowances and/or pensions to servants, staff or other persons in his/her employment or who have retired from service."

Sir, I moved this amendment because I feel that, in whatever way the class of people to whom this tax applies has been painted, this is one of the useful things that they do. I think it is only this income-group of people who give employment to quite a number of people. It is quite surprising to note how much of their expenditure consists of pensions given to their employees after they retire. If this expenditure comes within the purview of the tax, the first thing that they are likely to do is to stop giving pensions to their employees and thus keeping them in some sort of comfort after retirement. Very often although it is considered that their incomes are very high, actually they keep things, say, just on the edge of a sword, and they will do a little bit of balancing in order to bring it in line with the tax. First of all, human nature is likely to stop the pensions being given.

That is why I have brought this amendment As it is, there is so much of unemployment and Government is not able to create employment. Where employment has been created, where retired people are being looked after, that facility should not be taken away.

With these words I commend my amendment to the House.

Shri Jhunjhunwala: Sir, am I entitled to speak on the clause also or only on my amendment?

Mr. Speaker: All Members have spoken on both the clause and the amendments.

Shri Jhunjhunwala: There is only one amendment, No. 175, which is the same as the amendment moved by my lady friend, Shrimati Ila Palchoudhuri. It reads:

Page 6,—

after line 27 *add*:—

"(s) any expenditure incurred by the assessee for or by way of salaries, allowances and/or pensions to servants, staff or other persons in his employment or who have retired from his service."

श्री झुनझुनवाला : अध्यक्ष महोदय, मेरे अमेंडमेंट देने का अभिप्राय यह है कि यह बहुत जरूरी है, जैसा कि मेरी बहन ने अभी बतलाया। यदि आप यह अमेंडमेंट मुझे नही देने देते हैं तो एम्प्लायमेंट के ऊपर, जो कि आज गवर्नमेंट नहीं दे सकती है लेकिन बहुत से प्राइवेट पर्सन्स देते हैं, एक किस्म का बैन आप लगा देते है। इसके अलावा मुझे खास कर एक चीज और कहनी है कि जो हमारे राजे महाराजे तथा अन्य धनी लोग हैं, खास कर हमारी हिन्दू ज्वाइंट फैमिली मे, उनमें यह तरीका रहा है कि वे लोग बहुत से आर्टस, साइंस आदि को बचाए हुए हैं, वह इस तरह से कि जैसे हमारे म्यूजीशियन्स हैं, संस्कृत के पढ़ने वाले रहे हैं, अन्य बहुत से आर्टस् को जानने वाले हैं, उनको कुछ न कुछ देते रहते है। कोई सैलरी न देकर, पेंशन के रूप में या वार्षिक कुछ दे कर उनको अपने यहा रक्खे हुए हैं और इस तरह से उन लोगों का गुजारा कर रहे हैं। यदि आप इस तरह का क्लाज इसमें नहीं देते हैं कि उन लोगों को इससे बरी कर दिया जाएगा, तो वास्तव में हमारी आर्ट्स आदि की बहुत सी चीजों पर बड़ा धक्का पड़ेगा और वह लोग डिस्करेज होंगे, ऐसे आर्टस पर जिनके लिए हमारी सरकार अभी तक कुछ नही कर रही है। ऐसी हालत में मै हाउस से प्रार्थना करूंगा कि वह इस अमेंडमेंट को मंजूर करे। मेरा संशोधन यह है:

Page 6, *after* line 27, *add*—

"(s) any expenditure incurred by the assessee for or by way of salaries, allowances and/or pen-

[श्री भूनभन वाला]

sions to servants, staff or other persons in his employment or who have retired from his service."

क्लाज ५ के ऊपर मुझे यह कहना है कि यहा पर यह बतलाया गया है कि फला फलां चीज पर, यदि कुछ खर्च किया जाएगा तो वह टैक्स से छोड दिया जाएगा । पहले मुझे इस बिल पर कुछ कहने का मौका नही मिला । मै कहना चाहता हूं कि यह सारे का सारा बिल मिसकंसीव्ड है अगर सरकार की यह मंशा है कि इस से कुछ सेविंग हो, अगर सरकार की यह मशा है कि देश मे फुजूलखर्ची न हो, और उस रुपए से कैपिटल फार्मेशन हो और उससे हमारे पास जो कर आवे वह सेकेन्ड फाइव इअर प्लैन पर खर्च हो, तो मै भी कहना चाहता हू कि सेकेन्ड फाइव इअर प्लैन पर खर्च करने के लिए इन सब चीजों की हमे आवश्यकता जरूर है । परन्तु इसके बदले जैसा कि हमारे ठाकुर दास जी भार्गव ने कहा, यह होना चाहिए कि यह न लिखा जाए कि फला–फला चीज पर खर्च किया जा सकता है, यह लिखा जाए कि निम्नलिखित चीज पर लोग खर्च न करे। इस पर एक लिमिट लगाई जाती कि लोग इन–इन चीजो पर खर्च कर सकते है लेकिन इतना ही कर सकते है । यदि इससे अधिक वे खर्च करेगे तो टैक्स देना पडेगा । इससे यह होता कि सब लोगों को पता चल जाता कि यह यह चीजे सरकार की दृष्टि में अनावश्यक हैं, खराब हैं, समाज के हित मे नही हैं, और अगर इन पर खर्च किया गया तो सरकार टैक्स लेगी न कि ऐसी ऐसी चीजो पर जिनमें समाज की उन्नति है, हमारे देश की उन्नति है और जिन पर सरकार का कभी ध्यान नही जाता । यदि आप इन चीजो पर बन्धन लगाएगे तो यह समाज के लिए और देश के लिए हितकारी नही होगा । आज यदि हम यह चाहे कि एक पाठशाला खोले और उस पर खर्च करे, किसी को हम १०, १५ या २० रु० स्कालरशिप देना चाहें तो इस किस्म की चीजें हमारे इस बिल की एक्स्टेंट मे आ जाती हैं ।

पंडित ठाकुर दास भार्गव : इन पर टैक्स लग जाएगा ।

श्री भूनभनवाला : जी हा, इन चीजों पर भी टैक्स लगेगा । इसलिए मेरी प्रार्थना है कि यह कानून हम न बनाएं । जो कि हर तरह से हमारे ऊपर टैक्स लगाना चाहती थी । उस समय यदि वह टैक्स लगा होता तो क्या स्थिति होती । यहा पर हमारे मित्र कमल नयन जी बजाज बैठे हुए हैं । मैं उनके पिता जी का नाम लेकर उनकी प्रशंसा इसलिए नही करना चाहता क्योकि लोग समझेगे कि अपने आदमी की प्रशंसा करते है । मेरा उनसे बहुत घनिष्ट सम्बन्ध था । उन्होने हमारे चुनावो के लिए कितना रुपया खर्च किया था । बिना किसी के जाने हुए उन्होने बहुत से आदमियो को खर्चा दिया था । उन्होने तो एक तरह का फड खोल रखा था, एक तरह की सरविस कायम कर दी थी कि हम इतने वर्कर्स को इस प्रकार से देगे । इस खर्चे के कारण हजारो आदमी निकले और उन्होने देश की सेवा की । मै अपने मिनिस्टर महोदय से पूछना चाहूगा कि अगर आज कोई इस प्रकार का देश सेवा का कार्य करे तो आप उससे क्या टैक्स लेगे । क्या आज जितना भी जनहित का कार्य है वह सरकार कर रही है ? आज हम देखते है कि हमारे यहा राजनीति मे ऐसे लोग आ रहे है जो कि एम्बीशस है । जो सेवा भावना रखने वाला है वे इसलिए नही आ सकते क्योकि उनके पास खर्चा ही है । यदि आज कोई इन सेवाभाव रखने वाले आदमियो को खर्चा दे ताकि वे देश की सेवा करे, पार्लियामेंट मे आवे और दूसरे काम करे तो उस आदमी को टैक्स देना पड़ेगा । जैसे लाला लाजपत राय की पीपिल्स सोसाइटी है या सरवेंट्स आव इडिया सोसाइटी है, अगर कोई व्यक्ति ऐसी सोसाइटी अकेले या पांच आदमी मिलकर बनाना चाहें तो उनको टैक्स देना

पड़ेगा । अगर मैं आज कोई अच्छा काम करने के लिए जाता हूं तो उसके लिए भी मुझे टैक्स देना पड़ता है । ऐसी स्थिति में मैं वह काम कैसे कर सकता हूं । सरकार उन कामों को करती नहीं है । तो फिर सेवा के और अन्य अच्छे काम कैसे चल सकते हैं । पंडित ठाकुर दास जी ने बार बार कहा है कि आप एक सोशल सर्विस कायम कीजिये । जनता के लिए आप कानून बनाते है कि यदि इससे ज्यादा खर्च किया तो हम नही होने देगे । पर देश में सबसे ज्यादा सोशल काम की जरूरत है । ऐसे खर्चे पर टैक्स नहीं लगना चाहिए । हां यदि कोई खर्चा एंटी सोशल हो तो आप कह सकते हैं, आप उन कामो की लिस्ट दे सकते है कि इन कामों पर इतने से ज्यादा खर्चा किया जायेगा तो टैक्स लगेगा, न यह कि आप हर चीज पर टैक्स लगाना चाहते है । अगर कोई इंगलेंड अपने लड़के को पढने भेजना चाहता है तो उसे आप केवल ८००० ही देना चाहते है । इसी तरह की और बहुत सी चीजें इसमें दी गयी है । इसलिए मैं इस बिल को मिसकसीव्ड समझता हूं । इससे लोगों की दान आदि देने की भावना को आप खत्म कर रहे है । अतएव मैं चाहता हूं कि इस क्लाज के बदले में आप इस तरह का क्लाज रखे जिसमे यह बतलाया गया हो कि यह यह खर्च यदि आप करेंगे तो इसके ऊपर इतना इतना टैक्स लगाया जायेगा, न कि यह कि हम एक्जेम्पशन की यहा तक लिमिट रखते है और वहां तक लिमिट रखते है ।

श्री मू० च० जैन : माननीय स्पीकर साहब, क्लाज ५ में मैंने ३ अमेंडमेंट दिये हैं और उनकी हिमायत करने के लिये मैं खड़ा हुआ हूं ।

मेरा पहला अमेंडमेंट है नम्बर १७१ और वह यह है कि सफा ४ पर लाइन १२ से १३ में कुछ शब्द ओमिट कर दी जाये । वे शब्द ये हैं :

"or in bullion, precious stones or jewellery."

मेरा दूसरा अमेंडमेंट यह है कि पेज ४ पर लाइन १४ से १७ तक ओमिट कर दी जाये ।

Mr. Speaker: His amendment is out of order. His amendment in so far as it seeks to remove bullion, etc. seems to be out of order.

श्री मू० च० जैन : मैं आपकी तवज्जह ओरिजिनल क्लाज ५ की तरफ दिलाना चाहता हूं पेश्तर इसके कि यह बिल सिलेक्ट कमेटी में गया था ।

Mr. Speaker: Hon. Members will bear in mind that if an exemption is given, to that extent the tax is reduced, because the taxable expenditure is reduced. If an exemption is removed, to that extent the tax is increased. Therefore, wherever by any amendment the incidence of the tax is increased, that requires the recommendation of the President.

Shri Narayanankutty Menon: Sir, I have a genuine doubt about some of these amendments. . .

Mr. Speaker: I have noted the amendments which will have the effect of increasing the tax. Hon. Members need not take the trouble of placing those amendments before the House. The following amendments are out of order:

Nos. 12, 14, 45, 47, 49, 106, 116, 117, 137, 162, and 164.

All these have the effect of increasing the tax. Therefore, without the recommendation of the President they are out of order.

Shri Narayanankutty Menon: In the original Bill certain exemptions were given. Later on the Select Committee added certain exemptions. So, to that extent, amendments to the exemptions granted by the Select Committee after the Bill was originally introduced, will be valid.

Mr. Speaker: The exemptions granted by the Select Committee are before us.

Shri Narayanankutty Menon: All these amendments to the exemptions granted after the Bill was introduced, these amendments will be in order.

Mr. Speaker: With regard to the amendments to whatever exemptions have been granted by the Select Committee, I think they also require the President's sanction. An exemption will reduce the tax; therefore it does not require any sanction of the President. But if those exemptions are removed, the tax will be increased and therefore those amendments require the President's sanction

Shri Narayanankutty Menon: But the provision was there in the original Bill . . .

Mr Speaker: Now we are having the Report of the Select Committee before us. The original Bill is superseded by the Bill as it has been reported upon by the Select Committee.

Shri Sinhasan Singh (Gorakhpur). After the Bill was introduced in the House it was referred to the Select Committee after acceptance of the principle of the Bill. Certain provisions were added by the Select Committee which reduced the taxation already provided for in the Bill. If there are amendments to restore those very provisions which were there in the original Bill, the question is whether those amendments would also require the President's sanction. They should not require the President's sanction. It is not any new taxation, but we are trying by those amendments only to take out that measure of reduction recommended by the Select Committee and bring back the provisions as contained in the original Bill These are additions made by the Select Committee, they were not in the original Bill. If they are removed, then the original Bill stands as it is.

An Hon. Member: The Select Committee is a miniature of the House.

Mr. Speaker: A Bill is introduced. The Bill has not been passed. For its consideration itself, even for the consideration of a taxation measure the recommendation of the President is necessary. The Bill was introduced by the Finance Minister. It was sent to the Select Committee. Now, we will take it that the Select Committee has modified it. The Finance Minister once again brings forward a motion. What is his proposal? That the Bill, as reported upon by the Select Committee, be taken into consideration. That is the motion. Therefore, the motion is that the original Bill be taken into consideration, as reported by the Select Committee. Both mean the same thing. The Bill which he has proposed for the consideration of the House as reported by the Select Committee contains certain provisions. And we want to do away with those provisions, the effect of which will be the restoration of the provisions in the original Bill. But so far as the Bill is concerned, as it has been presented by the Select Committee, that removal imposes an additional taxation. If the Select Committee Report is accepted, that taxation would not be there. Even for restoration of the original provision I think it requires the recommendation of the President. But this is one of first impression. I will consider it. I shall allow discussion on these matters now

17 hrs

Pandit Thakur Das Bhargava: Will you kindly look into the relevant article of the Constitution? You will find that no amendment which increases the tax can be put in the Bill without the recommendation of the President. The Bill when put before the House becomes the property of the House, but when it is referred to the Select Committee and certain proposals are made, then those proposals are subject to the consideration of this House, and therefore unless those are allowed to be discussed or taken away from or added to, my humble submission is that the intermediate part, that is whatever is done in the Select Committee, cannot be regarded as adding to the taxes, because that is not operative at all. It is only a proposal, and it will become law only

if the House passes it. Therefore, in the intermediate stage there is nothing which cannot be changed by this House. Whatever the Select Committee does is not final. It becomes final only when the House passes it. Therefore, the House may not be able to pass greater taxes so far as the original Bill is concerned. The proposals of the Select Committee do not become final and the House is seized of them and the House can certainly discuss the matter which the Select Committee has added.

Mr. Speaker: The analogy is the same. When a Bill is introduced, it does not become an Act. Even at that stage if it imposes taxation, it requires the recommendation of the President. The Bill was introduced originally. Subsequently in a modified form as reported by the Select Committee it is asked to be taken into consideration. So, in the analogy I do not find any difference, but it will cause a lot of inconvenience, I agree, if something is done by the Select Committee and we have to get the President's recommendation for restoring it to its position in the original Bill. I agree it is not necessary because it will lead to a lot of inconvenience. You are not going behind the original proposals. So far as those items are concerned which were touched upon in the Select Committee and if we want to resume *status quo*, whatever might be their effect, I do not think that recommendation is necessary.

श्री भू० च जैन : माननीय स्पीकर साहब, इस इन्टरप्रैटेशन के बाद मेरी तीनों अमेंडमेंट्स आउट आफ आर्डर नहीं रहीं, बल्कि वे इन आर्डर हो गई हैं। मैं आपकी सेवा में यह निवेदन कर रहा था कि जो ओरिजिनल बिल था, जो कि सिलेक्ट कमेटी में जाने से पहले इस हाउस में पेश किया गया था, उस की क्लाज ५ का मुकाबला इस मौजूदा बिल की क्लाज ५ से करें, जो कि सिलेक्ट कमेटी से हो कर हमारे सामने आया है, तो पता लगेगा कि एक तरफ से पहले बिल का हुलिया ही बिगाड़ दिया गया है। इस में इतने कनसेशन्ज दिए गए हैं, इतनी एग्जेम्प्शन्ज दी गई हैं कि कुछ मेम्बरान ने, जो कि एक्सपेंडिचर टैक्स बिल के खिलाफ हैं, यहां तक कहा है कि इस बिल में इतनी रियायतें और कनसेशन्ज दी गई हैं कि अब इससे रेवेन्यू क्या वसूल होना है, इस लिए इस बिल को अब वापिस ले लेना चाहिए। मैं इस फिलासफी, इस उसूल और इस दलील के बहुत खिलाफ हूं कि पहले तो यह कोशिश की जाय कि इस बिल में ज्यादा से ज्यादा रियायतें मिलें और जब वे रियायतें मिल जायें, तो फिर यह कहा जाय कि इतनी रियायतें दे दी गई हैं कि अब इस बिल से कोई रेवेन्यू वसूल नहीं होना है, इस लिए इस बिल को वापस ले लिया जाय। इस में क्या क्या रियायतें मिली हैं ? सब से बड़ी रियायत, जिस की तरफ अभी तक इशारा नहीं किया गया है, यह दी गई है कि ओरिजिनल क्लाज ५ में यह प्रोवाइड किया गया था कि जो एग्जेम्प्शन्ज दी गई थी, उन पर एक्सपेंडिचर टैक्स नहीं लगता था, लेकिन उन की मिकदार उस रकम में शामिल होती थी, जो कि एक्सपेंडिचर टैक्स के लिए शुमार की गई थी, बताई गई थी। उस की सब-क्लाज (१) में यह दर्ज था :—

"No expenditure-tax shall be payable under this Act in respect of any such expenditure as is referred to in the following clauses which has been incurred by the assessee,....."

यानी उस पर सिर्फ एक्सपेंडिचर टैक्स नहीं लगता था—एक्सपेंडिचर टैक्स के एमाउंट से उसको निकाला गया था। सिलेक्ट कमेटी ने उस में यह और रियायत दे दी है।

"and such expenditure shall not be included in the taxable expenditure of an assessee."

मैं कहना चाहता हूं कि यह बिल्कुल गलत बात है। न सिर्फ यह कि इन आइटम्स पर एक्सपेंडिचर टैक्स नहीं लगेगा, बल्कि जो टैक्सेबल एक्सपेंडिचर है, उससे भी इन को निकाल दिया गया है, और इस तरह एग्जेम्प्शन की

[श्री मू० च० जैन]

हद को बहुत बढ़ा दिया गया है जो कि बहुत गलत बात है ।

मेरी पहली अमेंडमेंट—अमेंटमेंट नम्बर १७१—यह है कि बुलियन, प्रेशसे स्टोन्ज और ज्युलरी को इस में शामिल न किया जाय । इस सिलसिले में मैं इस का मुकाबला वैल्थ टैक्स बिल से करना चाहता हूं । जहां तक उस का ताल्लुक है, उस में पच्चीस हजार तक की ज्युलरी को माफ कर दिया गया है, वह असेसी की वैल्थ भी नहीं बनती है, उस को वैल्थ से निकाल दिया गया है । अगर ज्युलरी, बुलियन और प्रेशस स्टोन्ज एक्सपेंडिचर टैक्स में न जायें और अगर वे वैल्थ बन जायें, तो मुझे कोई एतराज न हो, लेकिन वैल्थ टैक्स बिल में उन को वैल्थ में शामिल नहीं किया गया है और उन को एक्सपेंडिचर भी नहीं बनाया गया है । यह कितने मजाक की बात है ।

अब मैं अपनी अमेंडमेंट नम्बर १७२ पर आता हूं । क्लाज ५(जी) में यह कनसेशन दी गई है कि अगर सरमायादार हिन्दुस्तान की काटेज इन्डस्ट्री की प्राडक्ट खरीदे या कोई वर्क आफ आर्ट खरीदे, तो वह भी शामिल नहीं होने चाहिए । यह एक कमाल की बात है, किस तरह से हमारे सैन्टीमेंट को एक्सप्लायट करने की कोशिश की गई है, और वह सैन्टीमेंट यह है कि हमारी घरेलू दस्तकारियों की तरक्की हो, उस में गरीब लोग काम करते हैं, अगर घरेलू दस्तकारियों की प्राडक्ट्स बिकेंगी, तो गरीब लोगों की परवरिश होगी । अगर घरेलू दस्तकारियों की प्रोड्यूस की हौसला-अफजाई करनी है, तो फिर तीस हजार तक के खर्च की इजाजत से क्या हौसला-अफजाई नहीं होती है । यह तो एक तरह का लपहोल है । इस कनसेशन के देने से टैक्स इवेजन बहुत बढ़ेगा । इस लिए मैं ने यह अमेंडमेंट दी है कि इस कनसेशन को खत्म कर दिया जाय । महज सैन्टीमेंट का फायदा उठा कर जो एग्जेम्प्शन देने की कोशिश की गई है, वह बहुत गलत बात है ।

मेरी तीसरी अमेंडमेंट इलैक्शन के बारे में है । इलैक्शन का खर्चा, इंडिविजुअल्ज के लिए भी, और हिन्दू अनडिवाइडिड फैमिली के तमाम मेम्बरान के लिए भी, जो कि इलैक्शन में खड़े हों, सारे का सारा एग्जेम्प्ट किया गया है । पहली क्लाज ५ में यह एग्जेम्प्शन नहीं थी । यह एक नई एग्जेम्प्शन शामिल की गई है । मैं कोई वजह नहीं देखता कि जो कोई इलैक्शन में खड़ा हो, उसके खर्च को एग्जेम्प्ट कर दिया जाय । इस सिलसिले में हमारे दिमागों में एक कनफ्यूजन (confusion) पैदा करने की कोशिश की गई है । अभी मेरे एक लायक दोस्त ने बड़े बड़े सरमायादारों में स्वर्गीय सेठ जमनालाल बजाज का भी जिक्र किया । हमारा सिर झुकता है, जब उनकी खिदमात हमारे सामने आती हैं लेकिन इस का यह मायने नहीं है कि ये कैपिटलिस्ट्स हिन्दुस्तान में और दुनिया के दूसरे हिस्सों में जो जो बातें कर रहे हैं, उनको हमारे मुअज्जिज मेम्बरान नजर-अन्दाज कर दें—वे बातें उनके नोटिस में हैं । पिछले दिनों जब कम्पनी लॉ पर इस ऐवान में बहस हुई, तो इस बात की चर्चा हुई थी कि किस तरह कम्पनी बनाने वाले बीस, पच्चीस खानदान टैक्स इवेजन करते हैं । सिर्फ मैं ही यह बात नहीं कहता हूं, और मेम्बरान ने भी यह बात कही और यदि इस विषय में किसी और अथारिटी की जरूरत हो, तो मैं श्री ढेबरभाई के इन्दौर कांग्रेस सेशन में दिए गए एड्रेस का हवाला देना चाहता हूं, जिसमें उन्होंने बताया कि ये लोग हाइएस्ट सर्कल में टैक्स इवेजन करते हैं । उस एड्रेस के पैराग्राफ ४४ में कहा गया है :—

"The position in relation to tax collections or revenue recoveries may also be suffering from the same limitations. It is a matter needing investigation if we cannot draw on more simplified methods I accept that the record of these with whom we have to deal is not so very creditable. I

know that even some people at top levels in the world of trade, industry and commerce, have been unable to resist this temptation."

अगर कैपिटलिस्ट्स की चैरिटेबल टेन्डेन्सी का साइंटिफिक एनेलेसिस किया जाय, तो हम को पता लगेगा कि वे गरीब लोगों को जो एक्सप्लायटेशन करते हैं, उस को कवर करने के लिए इस चैरिटी के तरीके को अपनाते हैं। जहां तक चैरिटी का ताल्लुक है, उस को तो एग्जेम्प्ट किया गया है। अगर यह कहा जाय कि इस एक्सपेंडिचर टैक्स बिल के पास होने से उन लोगों के चैरिटेबल काम रुक जायेंगे, तो मैं इससे मुत्तिफिक नहीं हूं। एक तरफ तो हम इन लोगों की चैरिटेबल टेन्डेन्सीज की बात सुनते हैं और दूसरी तरफ हम ने देखा है कि वैल्थ टैक्स बिल लागू होने पर और एक्सपेंडिचर टैक्स बिल इस हाउस में पेश होने के बाद हमारे देश में इन लोगों ने, इस क्लास ने—जो टिपिकल है, एक्सैप्शन्ज को छोड़ कर—जो गुड एक्सेप्शन्ज हैं, उन के सामने हमारा सिर झुकता है, लेकिन जो जेनरल क्लास है—उस ने किया क्या है, कितना पायजन फैलाया है। उन की तारीफ में लोगों को कहा गया है कि इस निकम्मी गवर्नमेंट ने अवाम पर, मिडिल क्लास और लोअर मिडिल क्लास पर टैक्स लाद दिए हैं। इस कैपिटिलिस्ट क्लास ने गवर्नमेंट के खिलाफ प्रापेगेंडा किया है, फोरम आफ फ्री एन्टरप्राइज के नाम पर पैम्फलेट्स छाप कर गवर्नमेंट के खिलाफ नफरत फैलाई है। यह सब काम किन लोगों ने किए हैं, वह जाहिर है और मेम्बरान इसको नहीं भूले हैं। इसलिए मैं कहता हूं कि इन लोगों की चैरिटेबल टेन्डेन्सीज का ध्यान करते हुए हम को इन की ईविल हैबिट्स (evil habits) पर भी नजर रखनी चाहिए, इनके इस पहलू का भी ख्याल रखना है कि किस तरह ये अपने वैस्टिड इन्ट्रेस्टस की रक्षा के लिए काम करते हैं। किस तरह के से इंच बाई इंच लड़ते हैं। मैं कहना चाहता हूं कि जो कंसेशंस दिए गए हैं वे उनकी नजरों में काफी नहीं हैं। वह तबका अब भी सुप्रीम कोर्ट की शरण में जाएगा और कहेगा कि ये टैक्स कांस्टीट्यूशन की फलां दफा के खिलाफ है, अल्ट्रावायरस है। इस लिए मैं फाइनेंस मिनिस्टर साहब से कहना चाहता हूं कि जो कंसेशन आपने दिए हैं सिलैक्ट कमेटी के अन्दर उनको मेहरबानी करके आप वापिस ले लें, कौन कौन से वापिस होने चाहियें, उनमें से तीन का मैं जिक्र कर चुका हूं और उनकी तरफ मैं आपकी तवज्जह दिला चुका हूं।

Sardar A. S. Saigal (Janjgir): Sir, I want to.....

Mr. Speaker: Has the hon. Member moved any amendment?

Sardar A. S. Saigal: Is that a rule that unless an hon. Member has moved a certain amendment, he cannot speak?

Mr. Speaker: I am trying to adopt such a rule. .

Sardar A. S. Saigal: If you are going to adopt this rule.....

Mr. Speaker: Why is the hon. Member in such great haste? I will first of all give opportunities to all hon. Members who have tabled amendments and then come to Sardar Saigal. I can never ignore him, provided I have the time.

Shri B. R. Bhagat: Also let the hon. Members give the numbers of the amendments so that it would be easy to follow.

Shri Mohammed Tahir: Mr. Speaker, Sir, I will first deal with my amendment No. 3 in respect of 5(1). If my amendment is accepted it will read as follows:

> "any expenditure incurred by the assessee in the purchase or maintenance of livestock for the purpose of agriculture."

[Shri Mohammed Tahir]

My amendment is to add the words, 'for the purpose of agriculture'. It is a very simple matter that this Bill has been introduced and we are passing it simply to bring more revenue to the State. If this clause as it stands is adopted, the result would be that any man can invest any amount of money in respect of the purchase and maintenance of livestock and there is no check on it. It would be very great loss to the State so far as the tax on expenditure is concerned. Therefore, I want that a check should be introduced here. I mean that only livestock for the purpose of agriculture should be exempted and no more and no further.

My next amendment is in respect of sub-clause (m). If the amendment is accepted, it will read:

> "any expenditure incurred by the assessee for any public purpose of a charitable or religious nature including the expenditure on pilgrimage."

I have omitted the words 'in India' by my amendment No. 4 which is same as amendment No. 51 moved by Shri M. H. Rahman and added the words 'including the expenses on pilgrimage.' In this respect my task has become very easy, after we heard the speech of the hon. Finance Minister. In fact, he has accepted the amendment. My point is this. When the principle has been accepted that expenditure of a religious and charitable nature is to be exempted, then, expenditure on pilgrimages outside India is also expenditure of a religious nature. It has been accepted by the Finance Minister and by others that people of our country go to Arabia, Pakistan and Jerusalem and so on and so forth.

The hon. Finance Minister has said in his speech that he would be able to accept the amendment of my friend, Shri Jagnatha Rao as also that moved by Maulvi Hifuzur Rahman.

Shri Ajit Singh Sarhadi (Ludhiana): On a point of clarification, Sir. The hon. Member has referred to the statement of the Finance Minister that he conceded that expenses for pilgrimage would be exempted. As my hon. friend would appreciate, the words in the clause about which the Finance Minister said that he would accept the amendment refer to public purpose. "Public purpose" signifies something different.....

Mr. Speaker: The hon. Member wants to make a speech out of turn.

Shri Ajit Singh Sarhadi: I just want a clarification. The object the hon. Member has in view would not be met because of the words "public purpose". "Public purpose" does not convey pilgrimage; pilgrimage is for personal betterment.

Shri Mohammed Tahir: I quite appreciate the viewpoint of my hon. friend Therefore, I have added the words "including the expenditure on pilgrimage." That will clarify the matter in a more specific manner.

Now, I was saying that the hon. the Finance Minister has said that there is no harm if people go on pilgrimage outside India. If the amendment of my hon. friend Mr. Rao is accepted, in that case the Finance Minister has said that he would under rule making powers make a rule that expenditure on pilgrimages to other countries would be exempted. But I ask: why should the hon. Finance Minister take so much of trouble to make rules and then go in for notifications, etc. What is the use of making rules and issuing notifications? We can solve this problem easily by adding a few words. Therefore, my submission would be that instead of going in for making rules and issuing notifications, it would be better if my amendment is accepted and the whole problem would be solved very easily and the issue will be clear that the expenditure on charitable and religious purposes of a public nature as also on pilgrimage would be exempted as my hon. friend has said just now. I hope the Deputy Finance Minister will give due thought to this matter and accept

my amendment which I think would be sufficient to solve the problem.

Shri M. D. Mathur: Mr. Speaker, Sir, I have moved my amendment No. 22 which seeks to delete the exemptions and concessions granted to the ex-Rulers popularly known as Indian Princes. If you look to the original Bill there is no mention of exemptions. But in the Bill that has emerged from the Select Committee these concessions have been granted.

May I put a plain question to the hon. the Finance Minister, and in his absence to the Deputy Finance Minister? What led him to agree to grant these concessions in the Select Committee, when they were not there when the Bill was first introduced? The only reply I expect from him is that at that time they had no idea of the guarantee granted to the princely order in India. Well, he may also take shelter under articles 291 and 362 of the Constitution of India.

So far as these two articles are concerned, article 291 deals with privy purses that have been granted to the princely order, or, the ex-rulers free of income tax. In this Bill we are not taking away or reducing their privy purses. We are not levying income tax on them. Therefore, he cannot take shelter under this article of the Constitution. So far as article 362 is concerned, that too will not help him much, because it entitles them to the personal rights, dignities and privileges and that the Parliament should keep them in view when it makes any legislation. We are not going to take away the right of their putting a flag of their own, nor are we going to take away by this Bill their privilege of putting a red plate on their cars etc.

As a matter of fact, this is a taxation proposal which will affect every citizen of India. So, unless the guarantee is either mentioned in the agreement, covenant or in the Constitution, it does not debar us from bringing this proposal. The guarantees do not say that in future the princes will not be taxed at all.

Therefore, I submit that it is something different that has led the Finance Minister and the Select Committee to come to the conclusion, to add this sub-clause to clause 5. In the original Bill it was not there. It appears that he might have been influenced by certain propaganda here and there, or there might have been certain approaches that have led him to come to this conclusion.

My humble submission is that any concession at the cost of the community should not be given. We have already given certain priviliges to the princes, because of some acts or overtures. Continue those privileges. But, why add to these privileges? It is time that we must think of reducing the privileges and the privileged class in the country. I regret to note that instead of reducing the privileges and the privileged class in the country, we are trying to increase them.

We talk of socialism and socialist pattern of society. Socialism will not come only by removing disparity. It will come, as our Prime Minister says, by more production and equal distribution. I, therefore, submit that we should not add to the privileges that are already there. The Select Committee has erred in adding to the privileges of the Princes.

An another argument was given for granting the privileges to the ex-rulers. An old veteran of this House while speaking on the Wealth Tax Bill said that these privileges are given to them because of their patriotic act at the time of the transfer of power. I do not want to argue this point at this late stage. Whether it was an act of patriotism or force of circumstances, because of the rising of the people's movement in the States, that led them to agree to the transfer of power. But, I want to emphasise with all the force at my command that this patriotic act which the princes have shown should not be allowed to be encashed today in the form of concessions in the tax. If they are patriotic, their patriotism is wanted more today than at that time because we are building our country, making our

[Shri M D. Mathur]

country to progress in all ways. The princes should come forward and help us in that effort. They should behave as ordinary citizens and take less in the form of privy purses.

They are already enjoying fat privy purses. Do not add to the list of privileges which they have already got. Therefore, if they showed patriotism then they should not be allowed to encash it here. If they showed real patriotism then, they must come forward now. None is coming forward now to accept even any reduction in the privileges. In the question of taxation, because they agreed to the transfer of power peacefully there is no reason why they should be given all these benefits. My humble submission is, the argument that they were patriots and therefore they should be exempted from taxation is an argument which should not be allowed to go in any further.

Then, the third argument which is placed in support of the exemption is that if the expenditure-tax is levied on the princes, there will be a mass unemployment in the States and a number of employees of the princes will be thrown into the streets: that they will become beggars, and that is why this exemption is given. I am reminded of an old story which my hon friend, Shri M. C Jain, narrated in this House. Two travellers were travelling in a train, one a rich man and the other a poor man

Mr. Speaker: There is no time for stories. The hon Member will put his point in a nut-shell

Shri M. D Mathur: I am only pointing out what the House knows too well. The Finance Minister has taken a fancy to that story, and that is why I wanted to repeat that story. Exactly in the name of the employees and the poor men, if the princes want that they should be exempted from this taxation, in that case, it is a great insult to the employees. My submission is that if the princes throw them out, the State will employ them if they are capable of being employed.

The same argument was given at the time of the abolition of the jagirdari system. When the jagirdari system was sought to be abolished in the States, the princes and the jagirdars said that the employees of the jagirdars would be thrown into the streets and that unemployment would increase on that score. Those who are capable can be employed in the States, and the States should give a guarantee to the employees of the princes. But the question of employment is not there. That is what I want to submit.

Recently, we read in the newspapers, Sir, it was a news from Hyderabad—an application was moved under section 100 C PC for issuing a search warant for about 200 women in the palace of the Nizam of Hyderabad. They were the employees of the Nizam of Hyderabad. A search warrant was sought from the magistrate. Formerly, it could not be sought, because he was the Rajpramukh, and now the Nizam is no more the Rajpramukh. Therefore, this matter is receiving attention before the court of law. I submit that those people who are lowly paid must be thrown out of the employment of the princes so that the States can look after them better by giving them fresh employment Otherwise, this sort of serfdom will go on in this country and we will not be able to save these people

Mr. Speaker: Then hon Member must finish soon.

Shri M. D. Mathur: I shall finish in a couple of minutes If you go through clause 5(q), you will find that they are trying to distinguish between personal and official expenditure I want to put this plain question to the Finance Minister: "what is the official expenditure and what does it mean"? The princes are technically rulers or holders of office, but in practice, they have no work or business which could be considered as

to discharge of official duty and expenditure which could be construed as 'official'. If a prince or a ruler observes a birthday party, they will call it an official party and exemption is sought for it. If this exemption is given, almost all the personal expenditure of the rulers will be put as official expenditure and the poor tax-collector who will go there in the palace for collection of tax will be completely bewildered and won over. What expenditure is official and what expenditure is non-official has not been defined at all, and therefore, my submission is that in the name of official expenditure there will be subterfuge and in the name of expenditure of an official nature, personal expenditure will be incurred, and the princes will try to save their taxation on the personal expenditure also.

Therefore, my submission is that this exemption clause which has been added to the new Bill should be removed and the original Bill be restored.

Pandit Thakur Das Bhargava *rose.*

Mr. Speaker: The hon. Member will be very brief. We sit today till 6 O'clock as originally arranged. Let us dispose of clause 5 by that time.

Shri Sinhasan Singh: Clauses 5 and 6 may be discussed together. Both are of a similar nature.

Mr. Speaker: That is a deduction—clause 6. Clause 5 deals with taxable income.

Pandit Thakur Das Bhargava: I have amendments Nos. 138 and 139. By amendment No. 138 which is same as amendment No. 48 of Shri Prabhat Kar I want to take away the words "bullion, precious stones or jewellery" from sub-clause (f). My humble submission is this. I know that it is difficult to take this away, because when the property is converted into jewellery, precious stones or bullion, or loans, shares or securities, it is not a matter of expenditure at all. It is really conversion of that property. So, far as conversion is concerned, the property is in tact; there is no expenditure. It can be argued like that.

I want the hon. Minister to consider it from another standpoint. If you allow precious stones or jewellery to be bought by any assessee, then it is very easy to conceal it. It is very easy to dispose of it subsequently and buy it again. You cannot have any control over this. Supposing a person buys precious stones for Rs. 2 lakhs, where is the guarantee that he will keep that thing? How will you control that? Supposing a person keeps certain jewels, substitutes them for others and spends the entire amount on drinks etc., you will not be able to control it. So far as the jewels are concerned, the capital is blocked and it is against the interests of the country that the capital is blocked and is not available for constructive purposes.

We have made a reasonable exemption in the case of jewels. We have provided to the extent of Rs. 25,000, which is a considerable amount, in the wealth tax. Unless you take away these things, it will be difficult to administer your tax. There will be so much of evasion that you will not be able to control it. On these grounds, I submit that these three things should be taken away.

By my other amendment, I want that after the word "India" the word "books" may be inserted. A complaint has been made, and very rightly, that now if a person wants to have a library, to endow a Chair in any university, to spend, say, Rs. 10,000 a month on education buying books etc., so far as social reform is concerned, all those matters have not been exempted. Work of art has been exempted, but books have not been exempted.

I know that my hon. friend might say that so far as particular books, etc. are concerned, they come within the purview of clause 5(a). At the same time, books and literature in general should have been exempted. This is practically a tax on literature, culture, etc., which is not proper. After all, we have exempted so many other things. In the case of rulers, my friend was complaining that we have exempted many other things,

[Pandit Thakur Das Bhargava]

which are consistent with the dignity of the people. So far as common people are concerned, we have exempted for education Rs. 8,000, for medical relief Rs. 5,000 and so on. You must accept this amendment, because this amendment is most necessary. Unless you accept this amendment and exempt books, etc., you will not be able to justify any other exemption. This is the most important exemption I can think of.

So far as my amendments 72 to 75 are concerned, you will be pleased to see that in clause 5(a) we have got these words:

> "any expenditure, whether in the name of revenue expenditure or capital expenditure, incurred by the assessee wholly and exclusively for the purpose of business, vocation . . ." etc.

Similarly in (b), it is said:

> "any expenditure incurred by the assessee or on his behalf by his employer, wholly and necessarily in connection with the discharge of duties arising out of the assessee's employment".

So far as these words go, I do not object to them as far as they are consistent with this exemption. Supposing there is some expenditure which is of a composite nature, which is partly for these purposes and partly for other things, what will happen? My humble submission is that so far as it is necessary, the exemptions given in (a) and (b) may be taken into account. It may not be wholly and exclusively for these purposes; it may be composite expenditure. Therefore, expenditure incurred to the extent it is necessary for the various purposes mentioned in (a) and (b) should be exempted. Therefore, I submit that the words "wholly and exclusively" are unnecessary. Then, as a matter of fact, if it is composite expenditure, it will not be exempted at all, even though it is necessary for these purposes.

Only one more point I want to submit. It is generally, I should say, assumed by those who are in favour of whittling down all the exemptions that the property which is taxed is the property of the Government or the community and it is not the private property of the person, who is being assessed. As a matter of fact, under article 19(f), there is a right for every person to dispose of the property as he pleases. Let us not be very hard upon everybody. Regarding this money which the rulers have or which the common man has, if he wants to be charitable and subscribe something for education or social reform, he should be allowed to do so. After all, the restriction that is sought to be placed is a severe restriction on his Fndamental Right as contained in article 19(1) (f) of the Constitution. Let us look at it in a reasonable and fair manner, so that those people who are the owners of property are able to take full advantage of their choice. If you want to see that people are not prodigal or spend-thrift and you want to see that people should behave rightly and economically I can understand it. But in regard to culture and education and social reform etc, you should not put these restrictions Otherwise people will be reduced to mere automatons and you will be depriving them of the use of their property which the Fundamental Rights give to them.

Shri Supakar: My amendment No. 173 seeks to exempt any expenditure reasonably incurred to reimburse the loss or damage resulting from fire, flood, earthquake and other natural calamities I submit that the very purpose of Expenditure-tax is to check ostentatious expenditure and extravagance. But in these cases that I have mentioned you cannot help the expenditure; it is not due to any folly of any human being or due to any folly of the assessee himself, but due to the happening of some external circumstances. For example, suppose there is an earthquake—of course there is not much of earthquake—but floods are almost a matter of an annual occurrence. In those areas where there is a lot of devastation due to floods the man who is paying Expenditure-tax has to incur

some expense on account of reimbursing his loss due to the damage resulting from these calamities. I think we should give them some remission. You will find that in sub-clause (k), so far as premiums on insurance on life or in the case of fire, theft and so on are concerned, this has been exempted. There is no reason why when a man is suddenly faced with certain natural calamities and he has to incur certain expenditure on that account there should not be any reasonable deduction. That is all.

Shri Prabhat Kar: I want to speak on amendments Nos. 42 to 52—minus Nos. 45, 47 and 49 which have been ruled out of order—and I wish to stress three particular points. The expenditure tax was imposed with a view to check extravagant expenditure, to see that the people instead of spending, save and at the same time instead of spending on extravagant living, they invest. This was the main purpose. I am really sorry that the exemptions under clause 5, instead of helping the persons to save money or not to spend on extravagant items, will encourage people to spend money on lavish living. Take for instance sub-clause (e) of clause 5. Here any expenditure incurred by the assessee in connection with the acquisition of any immovale property or in the construction, repair, maintenance or improvement of any immovable property belonging to him, is exempted. What we want is more and more investment in industry, idle capital to be transformed into productive capital. We do not encourage today the purchase of immovable property so that an individual may add some wealth to the huge amount that he is already enjoying.

Secondly, when you talk of the improvement of the building or immovable property, we can visualise that the whole house can be air-conditioned and it will be an improvement, and the man will be granted exemption.

Mr. Speaker: It will add to the wealth.

Shri Prabhat Kar: It will add to the wealth of that individual and not of the society.

Mr. Speaker: There will be a wealth tax.

Shri Prabhat Kar: The house will be assessed only just on the value of the land and the brick and mortar. It was never visualised that this type of expenditure should be excluded. Today we want the people to practise more and more austerity and to save more and more, to invest more and more so that the money that we require for industry may come from out of the savings. By granting this type of exemptions we are allowing the persons to improve their own houses and property which will never come to the use of society as a whole.

Then, this is an expenditure which under no circumstances should be allowed to be exempted. He has got every liberty to spend money, even to air-condition his whole house if he wants, but if he wants to do that, he must pay the tax to the State, he must add to the revenue. The State has not debarred him from spending any amount whatsoever. The only point is that if he wants to spend more than what has been exempted, he will have to pay. This type of exemption, I have to say, goes against the very purpose for which the Bill was placed before the House.

Take again the question of bullion, expenditure in buillion, precious stones and jewellery. It is all right if he purchases shares, if he subscribes to capital. It is all right if he purchases Government paper, national savings certificates, because all this money will be utilised for the betterment of the economic condition of the country. It will help in the fulfilment of our targets in the Second Plan, but to allow them a concession for the purchase of bullion, jewellery and precious stones makes me wonder if we really want to impose the expenditure tax. The Bill as was plac-

[Shri Prabhat Kar]

ed before the House originally by the Finance Minister has changed its character completely, and in fact, this expenditure tax will not yield a single farthing by way of revenue. It is better if the Finance Minister had said that as the Select Committee has not agreed with my proposals no purpose will be served by proceeding with this Bill. We could have understood it. Now this has become an alibi for telling the people: "Here are the expenditure and wealth taxes. We have already imposed taxes on the common people by way of excise duties etc. So, we are also adding some taxation on the rich people by way of expenditure tax and wealth tax". In fact, we cannot get any revenue added by way of expenditure tax because of this type of exemption granted under this particular clause.

Then if we look at clause 11, as I have already stated, exemption is granted for expenditure incurred on the purchase and maintenance of livestock which includes race horses. I may inform the House that for the last four years an average of Rs. 12 lakhs worth of race horses have been imported costing us foreign exchange, and we are crying over our foreign exchange crisis.

Shri B. R. Bhagat: That is mainly for business. That is exempted.

Shri Prabhat Kar: The race horse owner, who is an individual, has got these horses. He imports the horses. Today most of the important race horses which have run and won trophies are imported. In importing, we have to spend foreign exchange; it tells upon our foreign exchange. This particular livestock, race horses, has been exempted from expenditure tax so far as purchase is concerned.

Now, we are asking the people to practise austerity; we are telling them: 'you do not mind if there is some excise duty on your matches, on your sugar and on your tobacco. You suffer for the sake of the Second Plan.' At the same time, we are allowing persons to import race horses, when the Finance Minister is telling the country that there is a foreign exchange crisis. For the last four years, the average is Rs. 12 lakhs. All these race horses have been imported from foreign countries, thus slicing our foreign exchange resources. In 1956-57, Rs. 11 lakhs worth of race horses were imported. I do not know on what logic and on what moral ground the Finance Minister can exclude this expenditure from the expenditure tax, specially when he has to come before the people and say that there should be tax to the tune of Rs. 90 crores by way of excise duties imposed on the common people.

I am really glad that many Members of the Congress Party have opposed this concession, because if I may use the word, it is obnoxious. The other day the Finance Minister told us that it was a wasting asset. All right, if it is a wasting asset, you have not applied the wealth tax to it. But when it is purchased, why don't you impose an expenditure tax on the purchase? You have not taxed it as wealth; that may be granted, whether we agree or not. But when an amount of Rs. 11 lakhs is spent on import of race horses, how you can exempt this item from the tax and at the same time tax the common people by your tax measures?

I do not want to repeat arguments already advanced. If we are serious about imposing an expenditure tax, we must exempt only those items which are absolutely necessary for an individual and his family, wife and children, to spend in order that they may have a good living including education and all those things. Otherwise, any other expenditure that is incurred must be taxed and there should not be any exemption granted under any plea whatsoever

Shri S. Ghose: My amendments are Nos. 162 to 165 My amendment No. 163 is the same as amendment No. 48 moved by Shri Prabhat Kar. I preface my remarks by citing a small example. Suppose the Finance Minister makes a present of a machinery to the House for carriage of goods. There is one line of thinking, which says that he should not have brought this machinery because the carriage of

goods will affect the national interest. There is a second line of thinking that he has got the guts to bring this machinery for the carriage of goods, but some heavier goods should be carried, not the goods he intends. There is a third line of thinking which is: You speak of carriage of goods; but first of all, think whether there is any defect in your machinery or not. If I am correct in my understanding, the last is the line of thinking adopted by Pandit Thakur Das Bhargava, and I beg to fall in line with that. The Finance Minister will say: I do not care for the machinery; it adds to the wealth of the country, whether it carries goods or not. In other words, he wants to say that whether this Expenditure Tax brings money or not, it will encourage saving. I submit that that is hoping too much.

It is piloted in such a way that it raises some doubt in our minds that the Finance Minister is hunting with the hound and running with the hare. If such exemptions are given, practically that clause would make the Bill absolutely nugatory. If clause 5 stands as it is nothing would be received and it will be practically a dead letter.

So far as precious bullion and stones and jewellery are concerned, there has been much argument advanced and I do not want to repeat it.

There is one sub-clause (k) (i). If that is allowed to stand as it is, I submit, it will cause a lot of mischief. Much can be avoided on the basis of that clause.

There is again clause (1) relating to the purchase of livestock. On that also much argument has been advanced.

Then, there is sub-clause (m) regarding which I have my submission. 'Charitable and religious nature' in India is absolutely vague. Lots of things can be introduced into it. If it is said 'exclusively on a charitable and religious matter', there would be some meaning. By the use of the word 'nature', I submit that everybody can avoid a tax as is contemplated under this Bill. This has also been incorporated in the Wealth Tax Bill.

If these are allowed to stand, then, nothing will be received from this tax. I submit that these are the legal infirmities from which this Bill is suffering. It is not only to speak on this thing or that thing but I would request the Finance Minister to look to the machinery, the machinery he is going to employ, whether that will be quite competent to bring the money he desires. I fully appreciate his position. Whether he understands it or not, I would submit one thing and then conclude.

One noted South Indian Lawyer, the late Shri Bhashyam Iyengar was arguing a case before the Chief Justice. The Chief Justice failed to appreciate the point and said: 'Mr. Iyengar, I cannot follow the argument you are advancing'. To that, Shri Iyengar replied: 'Yes, My Lord, I fully appreciate your position. It requires a lawyer to understand this.'

सरदार अ० सि० सहगल : अध्यक्ष महोदय, जो एक्सपेंडिचर टैक्स बिल यहां पर पेश किया गया है, उसकी क्लाज ५ की सब-क्लाज एम० पर मैं अपने विचार पेश करना चाहता हूं ।

आप यह देखेंगे कि इस क्लाज के जरिये से जो एक्सपेंडिचर इनकर होगा वह पब्लिक पर-पजिज के लिए रिलिजस और चैरिटेबल पर-पजिज के के लिए होगा । आप देखेंगे कि हमारे जो हिन्दू भाई हैं वे अपने तीर्थस्थानों की यात्रा के लिए दूसरे देशों में जाते हैं । वे नपाल में पशुपतिनाथ की यात्रा के लिए जाते हैं । और वहा पर जो रुपया उनका खर्च होता है वह हमारी जो करेंसी है उसको वहां की करेंसी में तबदील करा लेने के बाद ही खर्च होता है । उनको हमारे रुपये को नेपाली सिक्को में बदलवाना पड़ता है । हमारे मुसलमान भाई जो मक्का और मदीना की यात्रा को जाते हैं साउद एरेबिया में उनको भी यहां के रुपये को बदलवा कर वहां का रुपया लेना पड़ता है और वही रुपया वे वहां पर खर्च कर सकते हैं । इसी तरह से हमारे बौद्ध भाई ल्हासा जाते हैं और वहां का जो सिक्का है उसी को वे

[सरदार अ० सि० सहगल]

वहां पर खर्च करते हैं और उसी सिक्के में वहां के रुपए को बदलवाते हैं। हमारे जो सिख भाई हैं वे पाकिस्तान में पंजा साहिब तथा दूसरे जो गुरुद्वारे हैं उनकी यात्रा के लिए जाते हैं और उनको पाकिस्तान की करेंसी में यहां के रुपए को बदलवाना पड़ता है और तब वे वहां पर खर्च कर सकते हैं। ये सारे का सारा रुपया जो वे खर्च करते हैं बाहर के मुल्कों में ही खर्च करते हैं। मैंने देखा है कि हमारे भाई मौलाना एम० एच० रहमान ने एक तरमीम पेश की है इस के मुताल्लिक जो कि बहुत ही मुनासिब तरमीम है और मैं माननीय विस मंत्री जी से प्रार्थना करता हूं कि वह इस तरमीम को मान लें।

हमारे किसी भाई ने कहा है कि इस तरह से सोशिलिस्टिक पैटर्न आफ सोसायटी की स्थापना नहीं हो सकती है अगर हम राजाओं और महाराजाओं को एग्जेम्पशंस देते जायें और रियायतें देते जायें। यह जो हमारी क्लाज एफ है इसके बारे में उन्होंने ज्यूल्स, प्रेशस स्टोंस और ज्यूएलरी का जिक्र किया है। मैं उनसे पूछना चाहता हूं कि क्या वे यहां के राजाओं तथा महाराजाओं को एकदम से ही खत्म कर देना चाहते हैं। उनके पास यदि मान लीजिये कोई पुराना धन है या उनके पास अपने बाप दादा की जायदाद है जिसको कि वे बचा के रखे हुए हैं, क्या आप उसको भी खत्म करना चाहते हैं? अगर ऐसा है तो मैं इसको ठीक नहीं समझता हूं। हमारी सोसाइटी में कोई भी इस चीज को पसन्द नहीं करेगा। इस वास्ते मैं समझता हूं कि इन चीजों को रहने देने में कोई हर्ज की बात नहीं है। यह बात जरूर है कि यदि इन चीजों को वे लोग बेचते हैं, इनको ले जाकर के मार्किट में इनकी कीमत लेते हैं, तो उस हालत में बराबर आपको यह हक होगा कि आप उनसे टैक्स वसूल करें और जिस तरह की कार्रवाई मुनासिब समझें करें। सिलैक्ट कमेटी ने इन सब चीजों को बहुत सोच विचार के बाद इस बिल में स्थान दिया है। अब उसके खिलाफ किसी किस्म के चार्ज लगाना में समझता हूं ठीक बात नहीं है। आखिर सिलैक्ट कमेटी स्वतंत्र थी और इस हैसियत से वह जो चाहे कर सकती थी। उन्होंने जो इस सिलेक्ट कमेटी के मेम्बर थे, इस पर खूब सोच विचार किया और सोच विचार करने के बाद ही इस बिल को यहां इस सदन में पेश किया है। मैं मानता हूं कि यह जो सिलेक्ट कमेटी ने किया है और जो इन चीजों को इस में रखा है यह अच्छा मालूम नहीं देता है, और उचित प्रतीत नहीं होता है और यदि इस चीज को इसमें स्थान न दिया जाता तो शायद अच्छा रहता लेकिन अब हमारे पास इस चीज को मंजूर करने के सिवाय कोई और चारा बाकी नहीं है और मैं चाहता हूं कि इसको मंजूर कर लिया जाए।

जो एक्सपेंडिचर टैक्स लगाया जा रहा है, इसकी बहुत सी सब-क्लाजिज हैं और उनको देखने के बाद तो ऐसा मालूम देता है कि जो टैक्स आप लगा रहे हैं वह नहीं के बराबर है और कई किस्म की छूट आप देने जा रहे हैं? यह छूट नहीं दी जानी चाहिए। लेकिन सिलेक्ट कमेटी ने देखा कि इन सब क्लाजिज की आवश्यकता है और छूट दी जानी चाहिए। अभी हमारे भाइयों ने रेस कोर्स के ट्रासिस के बारे में कहा है और कहा है कि इनको छूट नहीं दी जानी चाहिए। इसी तरह से और भी बहुत सी चीजें हैं। लेकिन अब सिलेक्ट कमेटी ने जिस रूप में इस बिल को हमारे सामने रखा है उस रूप में हमें इसको पास करना ही पड़ेगा और ऐसा करने के अलावा हमारे पास और कोई दूसरा रास्ता नहीं है।

Shri Ajit Singh Sarhadi: I wish to make a few observations with regard to amendments No. 51 and 4, and also 94.

The principle has been conceded by the hon. Finance Minister. He said he is ready to accept exemption of expenditure of a charitable religious nature. He also said that he would agree to the amendment moved by Shri Jaganatha Rao (No. 94). But there is one thing which I

would like to submit, that the amendment of Shri Jaganatha Rao postulates that the discretion would lie with the Board of Revenue to say whether the expenditure is justified or not; provided also that the expenditure should be for a public purpose. Now the intended object of the Minister of Finance is to exempt expenditure on pilgrimage. An expenditure incurred by an individual when he goes, say, to Pakistan on a pilgrimage does not come within the definition in the amendment tabled by Shri Jaganatha Rao. I quite appreciate the acceptance of the principle. Therefore, this must be divided into two parts. There is expenditure relating to public purpose of a charitable or religious nature incurred outside India. If I were to spend a lakh of rupees I should be entitled to do it and that should escape taxation. If I were to go to the Janamsthan of Guru Nanak in Pakistan and spend some amount that should escape taxation. If another individual wants to go to Ceylon, or a Muslim wants to go to Hedjaz he should be able to do it and the expenditure incurred should escape taxation. That cannot be done by the omission of the words "in India" in sub-clause (m). The discretion should not be given to the Board of Revenue. There should be a statutory provision that whatever expenditure is incurred on a charitable and religious purpose, whether it be in India or outside India, that would be exempt.

18 hrs.

But the entire situation would not be met by that, unless we also include pilgrimage. For that purpose I would submit that the lacuna can only be filled in if the Finance Minister is kind enough to table an amendment. It should be like this. After omitting "in India" the words should be "or for pilgrimage outside India". That is to say, it will read: "Any expenditure incurred by the assessee for any public purpose of a charitable or religious nature or for a pilgrimage outside India".

Mr. Speaker: That means expenditure on pilgrimage in India will be taxed and expenditure on pilgrimage outside India will not be taxed. Why should there be a difference between the one and the other?

Shri Ajit Singh Sarhadi: I would be very happy if he makes it "pilgrimage inside India and outside India". There is no reason why it should not be in this form.

People spend a lot of money when they go out. When there are good relations with Pakistan we, Sikhs, might have easy access to that place and we spend a lot of money in that place as a matter of religious sentiment. I only want to submit, if the principle has been accepted that expenditure of a charitable and religious nature is to exempted, it should cover expenses inside India and also outside India.

Then, because the word "public" is there therefore addition of "expenditure on pilgrimage" should be made' or the word "public" should be removed and then the sub-clause will read:

> "any expenditure incurred by the assessee for any purpose of a charitable or religious nature.... etc."

Mr. Speaker: Shri D. C. Sharma.

Shri D. C. Sharma (Gurdaspur): Sir, shall I conclude tomorrow?

Mr. Speaker: I want to call upon the hon. Minister.

Shri D. C. Sharma: Mr. Speaker, Sir, I think this is one of the most contentious clauses in the whole Bill, and looking at it from the practical point of view I would say that, as the Finance Minister said at the close of his speech after the consideration stage, that this Bill should be given a fair trial, clause No. 5 with all its sub-clauses ranging from (a) to (r) should be given a trial.

To begin with, if we are going to tighten up these clauses I think there will be trouble. If we try to give more concessions in certain places there will be more trouble. We should

[Shri D. C. Sharma]

neither tighten the screw nor loosen the screw. We should let the screw remain as it is at present, in its present position. I am speaking in the context of our country. I find that some persons want India to become a nation of hermits, no jewellery, and only things of utility in this country; no livestock and only bulls and other things for agricultural purposes. Of course, that is one angle, and I appreciate that angle very much. But it will not do to make our nation sheerly as a utalitarian nation, a nation which spends money only with an eye on what it is going to get out of what it spends. It is not that nations should only be like that. Nations have also other things besides things of utility. They have to satisfy their spiritual desires. They have to satisfy their cultural desires. They have to satisfy some intellectual desires and have to practise some kind of good living, as was said by Shri Prabhat Kar. While he was saying about the necessities of life and all that, he used the words good living. It does not mean that one should be pinned down only to necessities. Good living in a way goes beyond the normal necessities of life. Therefore, I would say that we have to see to the restrictive factor in this clause.

Suppose, you do not have race-houses, what will happen? Do you want that breeding of horses should go out of India? Then, if we import racehorses—I put it to you—worth Rs. 11 lakhs, don't you get money by way of tax? If you import Rs. 11 lakh worth of racehorses, how much money do you make out of levying tax on those races. Don't you look at it from that angle? Do you want to deny the people the pleasure they derive out of this? Horse-racing gives pleasure to the owner and it gives pleasure also to the spectator. And there is a tax on such things. If you ban race-horses not because they are articles of luxury but because thousands of people go and get some fun out of them, and if you want to deny those pleasures, you can do so. I have nothing to say against it But I would say that already this clause is restrictive in its conception and I do not think any more restrictions should be put to make the clause worse than what it is now or to make it better than what it is now.

But there is one thing. I do not want that we should ban the use of precious stones and ban the use of jewellery. If there are some people who want to buy precious stones or a few articles of jewellery, why don't you let them have them by buying them? Otherwise, they will get them in some other way. Let them buy them.

Shri C. K. Nair (Outer Delhi): Is there a ban? There is no ban. Only, they have to pay a little more.

Shri D. C. Sharma: There is no ban, but your friends over there want it. There are some presons who want that the products of cottage industry should be exempted. After all, products of cottage industry have to be encouraged. They were killed by the British people and they had fallen low, and it is the lot of the Indian Government to put them on the industrial map of India. So, I do not see any reason why the products of cottage industries should not be exempted. Apart from other things, they should be exempted, for, our people should get the idea of the cultural potentialities of our country. They are also dollar-earners. They are foreign exchange earners. They are also things which have a high employment potential. I would, therefore, say that we should not try to put more restrictions on these things.

Somebody said that election expenses also should not be exempted. I do not know if there are some persons whose election expenses are paid by some party or some other person. (*Interruptions*). I am not talking about any particular party. I may point out that there was a time when the election to the Assembly, or to the Parliament or to a municipal committee was a sign of, I should say, very artificial prestige. It was so when we

were under the British domination. But I may tell you that elections now are not instruments of personal prestige. They are not matters of prestige now. The elections are now tools of service.

Anyone who comes to the Lok Sabha or to any other body, does not come here because he wants to flaunt his membership here, and there and everywhere, but because he wants to serve the country in one way or other. I can say that all Members of Lok Sabha, to whatever party they belong, are there to serve the nation. Therefore, to say that their expenses should also be taxed is something which I cannot understand.

My friend, Pandit Bhargava, said that books should be exempted. I would say that this should be done, because I say that we, as a nation, are not fond of buying books. You go to anybody and he will tell you that we buy very few books. In the second place, when we buy books, we do not buy books written by Indians. Generally these are books purchased from outside. In order that knowledge may grow more and more in this country and in order that there may be a diffusion of general information, books should be excluded, as my hon. friend, Pandit Bhargava, said.

Shri T. T. Krishnamachari: We will exclude it.

Shri D. C. Sharma: Another point I would like to say is this. I would say that we have to respect the religious sentiments, whether they are religious sentiments of Hindus or of Sikhs or of Muslims or of Christians or of Jews or any other people. We have to respect their sentiments. For instance, no Mussalman will think that his life has had complete fulfilment unless he has made a pilgrimage to the holy Mecca or holy Medina. Similarly, the Buddhists also will think like that. No Sikh will think that he has fulfilled the mission of his life unless he has been to the Gurdwara of Nankana Saheb. Of course, Mr. Rao is saying something and some other Member is saying another. But I do not know what our Finance Minister is thinking. I would request the Finance Minister to see to it that these religious duties of the Hindus or the Muslims or the Sikhs are performed in a very smooth manner and no obstacles should be put in their way.

I hope this clause will not get more diluted than it already is and that these two exemptions, one cultural and another religious, will be given.

Shri Narayanankutty Menon: Before you call upon the Minister, Mr. Speaker, I want to submit one point. Clause 5 (i) reads like this:

> "any expenditure incurred by the assessee by way of repayment of loan or other borrowing, or by way of payment of interest thereon, not being interest on any loan or other borrowing utilised for incurring expenditure liable to tax under this Act."

I have tabled an amendment to add the words "or repayment of". Otherwise, as the clause stands now, if anybody takes a loan for, say, buying any goods which odinarily will be liable to Expenditure-tax towards expenditure on the entire goods purchased, he will *not* be liable to the tax because he will borrow money and he can repay it the next year. The exemption to the exempting clause refers only to the interest on the loan and not to the repayment of the loan which is otherwise liable to the tax. Otherwise, if he takes a loan and spends the whole thing, by manoeuvring or by some other means of accounting he can do so and not be liable to the tax.

Shri T. T. Krishnamachari: The point really is this. The hon. Member was on the Select Committee and he knows why the provision was made. We have made a provision for this purpose, that is, if a person has incurred a debt and got the benefit of it, that will go in the expenditure in that year, and when he repays the loan it will not again go into the expenditure. It will not be taxed twice. The hon. Member can look into that point, and

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if there is anything required there, we will accommodate it. It has been put elsewhere. The liability will not be transferred. Naturally, he has to repay the loan. Having come under the purview of the loan and having borne Expenditure-tax one year, it cannot be put again the next year when he repays it.

Shri Narayanankutty Menon: The clause is there. Similar provision is put in clause 5 (i) earlier, and there is an inherent contradiction. Unless the contradiction is removed, it may be open for an ingenious lawyer to argue about this because the two provisions are contradictory to each other and he may get away with the tax.

Shri B. R. Bhagat: Sir, I am in the hands of the House.

Mr. Speaker: In the hands of the Speaker also. Has the hon. Minister much to say?

Shri B. R. Bhagat: Yes, Sir.

Mr. Speaker: In that case the House will stand adjourned till tomorrow.

The Lok Sabha adjourned till Eleven of the Clock on Wednesday, the 4th September, 1957.

[DAILY DIGEST]

[Tuesday, 3rd September, 1957]

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STATEMENT RE SUPPLEMENTARY DEMANDS FOR GRANTS FOR 1957-58 . 1153?

The Minister of Finance (Shri T. T. Krishnamachari) presented a statement showing Supplementary Demands for Grants in respect of the Budget (General) for 1957-58.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE . 11533—35

Shrimati Ila Palchoudhuri called the attention of the Minister of Railways to

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the stoppage of the Saurashtra Express at Nadiad by a mob on the 8th August, 1957.

The Deputy Minister of Railways (Shri Shahnawaz Khan) made a statement in regard thereto.

STATEMENT BY THE MINISTER OF STATE IN THE MINISTRY OF TRANSPORT AND COMMUNICATIONS . . 11535

The Minister of State in the Ministry of Transport and Communications (Shri Humayun Kabir) made a statement regarding the accident to the Indian Airlines Corporation Dakota aircraft at Dum Dum on the 1st September, 1957.

MOTION FOR ELECTION TO COMMITTEE 11536—43

The Minister of Home Affairs (Pandit G. B. Pant) moved for the election of 20 members from among the Members of Lok Sabha to be members of the Committee to examine the recommendations of the Official Language Commission. The motion was adopted.

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BILL UNDER CONSIDERATION . . 11543—11698

Further discussion on the motion to consider the Expenditure-Tax Bill as reported by the Select Committee concluded.

The motion for consideration was adopted and clause-by-clause consideration was taken up.

Clauses 2 and 3 were adopted. On an amendment moved by Shri Prabhat Kar to clause 4, the House divided; Ayes 32, Noes 160. The amendment was accordingly negatived. Clause 4 was also adopted. Consideration of clause 5 was taken up and not concluded

AGENDA FOR WEDNESDAY, 4TH SEPTEMBER, 1957—

Consideration and passing of Expenditure Tax Bill as reported by Select Committee and Insurance Amendment) Bill. Consideration of the Legislative Councils Bill.